

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,
Petitioner,

v.

UNILOC 2017 LLC,
Patent Owner.

IPR2020-00023
Patent 6,467,088

SUPPLEMENTAL DECLARATION OF JOHN VILLASENOR

MICROSOFT - EXHIBIT 1016
MICROSOFT CORP. v.
UNILOC 2017 LLC
IPR2020-00023

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I, John Villasenor, do hereby declare as follows:

I. INTRODUCTION AND ENGAGEMENT

1. I have been retained as an independent expert on behalf of Microsoft in connection with the above-captioned Petition for *Inter Partes* Review (“IPR”) to provide my analyses and opinions on certain technical issues related to U.S. Patent No. 6,467,088 (hereinafter “the ’088 Patent”).

2. I am being compensated at my usual and customary rate for the time I spent in connection with this IPR. My compensation is not affected by the outcome of this IPR.

3. Specifically, I have been asked to provide my opinions regarding whether claims 1-4, 6-14, and 16-21 (each a “Challenged Claim” and collectively the “Challenged Claims”) of the ’088 Patent would have been obvious to a person having ordinary skill in the art (“POSITA”) as of its filing date, June 30, 1999. It is my opinion that each Challenged Claim would have been obvious to a POSITA after reviewing the prior art discussed herein.

4. This Supplemental Declaration is in addition to the first declaration that I prepared and submitted earlier in the IPR proceeding relating to the ’088 patent, signed and dated October 10, 2019 (“First Declaration” or “Villasenor Declaration”).

5. In the First Declaration I explained the unpatentability of the challenged claims. In this supplemental declaration, I respond to points raised by Patent Owner in its Response Brief (“POR”), particularly those points drawing on the understanding of a POSITA, as explained in my First Declaration.

II. BACKGROUND AND QUALIFICATIONS

6. The First Declaration explains my education and professional background in paragraphs 4-15.

III. MATERIALS CONSIDERED AND INFORMATION RELIED UPON REGARDING '088 PATENT

7. In preparing my First Declaration, I reviewed the following materials, each of which is the sort of material that experts in my field would reasonably rely upon when forming their opinions. I also considered other background materials that are referenced in that declaration.

No.	Description
1001	U.S. Patent No. 6,467,088, “Reconfiguration manager for controlling upgrades of electronic devices,” issued October 15, 2002 (the “ '088 patent ”)
1002	File History for U.S. Patent No. 6,467,088, Application No. 09/343,607 (the “ '088 FH ”)
1004	U.S. Patent No. 5,974,454, “Method and system for installing and updating program module components,” issued October 26, 1999 from an application filed November 14, 1997 (“ Apfel ”)
1005	U.S. Patent No. 5,613,101, “Method and apparatus for determining at execution compatibility among client and provider components where provider version linked with client may differ

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