

Case No. Unassigned
Patent 10,043,188

Attorney Docket No. 2993.003

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GUARDIAN ALLIANCE TECHNOLOGIES, INC.
Petitioner

v.

TYLER MILLER,
Patent Owner

Case No. Unassigned
Patent No. 10,043,188
Issued: August 7, 2018
Application No.: 14/721,707
Filed: May 26, 2015
Title: BACKGROUND INVESTIGATION MANAGEMENT SERVICE

DECLARATION OF THOMAS WARD

I, Thomas Ward, declare as follows:

1. From March 2008 to present, I have served as one of the managing partners of Background Solutions, LLC. During that time, my responsibilities have generally included, at times on a limited basis, administration, sales, product development and personnel management.

2. I have a Bachelor of Science in Criminal Justice Administration and Political Science from Brigham Young University and a Masters of Public Administration (MPA) from Brigham Young University.

3. From September 1979 until March 2008, I was a Police Officer in the Dallas (TX) Police Department, reaching the rank of Assistant Chief of Police and serving in that position from October 1999 to March 2008.

4. As a managing partner of Background Solutions, I have been a member of the Background Solutions product development team, which initially included Rick Harris and Brian Harvey, to develop the Background Assistant™ background investigation software.

5. Background Solutions began development of the Background Assistant™ background investigation software in 2006, with product sales being generated in mid-2009 based on company records.

6. In conjunction with the development of the Background Assistant™

background investigation software, the product development team outsourced the production of a power point video demonstration (Ex. 1021) of the Background Assistant™ background investigation software for marketing purposes. This presentation was developed by Mary Hancock.

7. Once the power point video presentation (with sound) was purchased, I played the Background Assistant™ product video (Ex. 1002) for the seminar attendees. I had embedded the video in my background investigation seminar power point presentation. I used the video to explain to seminar attendees that an electronic solution for police background investigations was available through the Background Assistant software.

8. At these seminars, I also distributed a product brochure advertising the Background Assistant™ background investigation software, which provides the URL for the Background Solutions website, www.backgroundsolutions.com.

9. The Background Assistant™ product video (Ex. 1002) describing the Background Assistant™ background investigation software and its various features was made available to the public at the URL, www.backgroundsolutions.com. The Background Solutions website contained a link to the same Background Assistant™ product video presented at the above-described law enforcement and background investigation seminars.

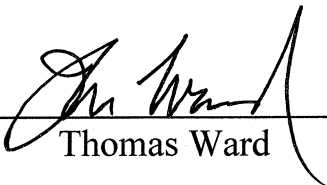
10. The copy I provided of the Background Assistant video is true and correct.

11. The Background Assistant™ product, included the ability to “[a]utomatically generate law enforcement correspondence based on applicant address data. Background Assistant, using information from National Public Safety Information Bureau, producers of the Law Enforcement Directory, has embedded public safety address information in the application that automatically prints to correspondence documents.” Law Enforcement Correspondence was generated within a designated radius based on applicant address history.

12. Amongst other customers, Background Solutions provided the Background Assistant™ product and background investigation services to King County (WA) Sheriff’s Department.

13. All statements made herein are of my own knowledge are true; all statements made on information and belief are believed to be true; and these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment or both under 18 U.S.C. § 1001.

Date: October 10, 2019


Thomas Ward