UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MICROSOFT CORPORATION,

Petitioner

v.

DAEDALUS BLUE, INC.

Patent Owner

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Case No.: IPR2021-00831
U.S. Patent No. 8,671,132
Original Issue Date: March 11, 2014

Title: SYSTEM, METHOD, AND APPARATUS FOR POLICY-BASED DATA
MANAGEMENT

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REPLY DECLARATION OF DR. EREZ ZADOK IN SUPPORT OF *INTER PARTES* REVIEW OF U.S. PATENT NO. 8,671,132

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I, Dr. Erez Zadok, declare as follows:

1. My name is Erez Zadok. I have been retained by Petitioner Microsoft Corporation ("Petitioner" or "Microsoft") to assist regarding U.S. Patent No. 8,671,132 (Ex. 1001, "the '132 Patent"). Specifically, I have been asked to consider the patentability of claims 15-25 of the '132 Patent ("the Challenged Claims") in view of prior art and the understanding of a person of ordinary skill in the art ("POSITA") as it relates to the '132 Patent. I have personal knowledge of the facts and opinions set forth in this declaration and believe them to be true. If called upon to do so, I would testify competently thereto. I have been warned that willful false statements and the like are punishable by fine or imprisonment, or both.

2. My consulting company, Zadoks Consulting, LLC, is being compensated for my time at my standard consulting rate. I am also being reimbursed for any expenses that I may incur during the course of this work. My compensation is not contingent upon the results of my study and analysis, the substance of my opinions, or the outcome of any proceeding involving the Challenged Claims. I have no financial interest in the outcome of this matter or in any litigation involving the '132 Patent.

3. My opinions are based on my years of education, research, and experience, as well as my investigation and study of relevant materials, including those cited herein.

4.   I may rely upon these materials, my knowledge and experience, and/or additional materials to rebut arguments raised by the Patent Owner. Further, I may also consider additional documents and information in forming any necessary opinions, including documents that may not yet have been provided to me.

5.   My analysis of the materials produced in this proceeding is ongoing and I will continue to review any new material as it is provided. This declaration represents only those opinions I have formed to date. I reserve the right to revise, supplement, and/or amend my opinions stated herein based on new information and on my continuing analysis of the materials already provided.

I.   QUALIFICATIONS

6.   I set forth my qualifications in my opening declaration, EX1003, incorporated by reference herein.

II.   MATERIALS RELIED UPON IN FORMING MY OPINIONS

7.   In forming my opinions and reaching the conclusion given in this declaration, I relied on the documents and materials cited in this declaration and in EX1003. These materials consist of patents, patent applications, related documents, and printed publications. This material consists of the type of documents upon which experts in the field would have relied. Appendix A to this declaration is a list of materials considered in drafting this declaration.

III. UNDERSTANDING OF GOVERNING LAW

8.   I discuss my understandings of the governing law in EX1003, which I incorporate by reference.

IV. RESPONSES TO THE DECLARATION OF DR. JULES WHITE (EX2024)

9.   I have reviewed the declaration of Dr. Jules White, EX2024 submitted by Patent Owner in support of the Patent Owner Response in this proceeding (Paper No. 22). I disagree with many of the opinions that Dr. White has expressed. I provide in more detail below my opinions and reasons for why Dr. White's opinions are incorrect.

A.   Dr. White's Narrow Definition Of Distributed Systems Is Not In Line With The Understandings Of A POSITA

10.   Dr. White opines that Gelb is not a "distributed system" and, therefore, would not be considered analogous art and would not be combined with Tivoli. EX2024 (Dr. White POR Decl.), ¶¶99-109, 128. Dr. White purports to "define" what a "distributed computing" or "distributed system" is, citing for support to Verissimo. EX2024 (Dr. White POR Decl.), ¶¶32-38, 74-84. Dr. White lists "at least ten" characteristics of a distributed system that allegedly distinguish it over a "single computer system." EX2024 (Dr. White POR Decl.), ¶¶74-84.

11.   Dr. White describes distributed systems that are in the most extreme, most complicated form possible. To be sure, some of the most complex distributed systems in existence can have some of the "at least ten" characteristics that Dr. White

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