

**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, LLC,  
Patent Owner.

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Case IPR2021-00831  
Patent No. 8,671,132

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**DECLARATION OF LINDA DUYANOVICH IN SUPPORT OF  
PATENT OWNER DAEDALUS BLUE, LLC'S  
PRELIMINARY RESPONSE**

## **I. INTRODUCTION**

1. My name is Linda Duyanovich, and I am currently retired from IBM Corporation where I worked from 1978-1996 and again from 1999 to 2013 in a variety of roles, including management, in the product and research divisions.

2. I have been asked by Patent Owner Daedalus Blue, LLC (“Daedalus”) to provide this declaration about the conception and development of the inventions claimed in U.S. Patent No. 8,671,132 (“the ’132 patent”), of which I am a named inventor. I am being compensated for my time at my normal rate of \$375 per hour. The amount of my compensation is not dependent upon the substance of my declaration or testimony, or upon the outcome of this matter.

3. I have personal knowledge of the facts and opinions set forth in this declaration, and, if called upon to do so, I would testify competently thereto.

## **II. BACKGROUND**

4. I obtained a Bachelor’s degree in Math from Stanislaus State College in 1976, and a Masters in Operations Research from Stanford in 1977.

5. I joined IBM in 1978 at its Santa Theresa Labs (also known as IBM’s Silicon Valley Labs). From 1978 to 1996, I worked on a variety of projects and in a variety of roles in the product division at IBM, including performance modeling and analysis of hardware and software systems, product development of storage

systems, and more. During that time, I was promoted to management and led teams doing performance analysis, architecture, and development of storage systems.

6. I left IBM from 1996 to 1999, and during that time worked at MatriDigm Corporation, mostly as Vice President of Development. MatriDigm worked on technology for legacy application maintenance (old Cobol applications. Specifically, MatriDigm provided technology and services for automated application conversion and testing around the Y2K issue.

7. I rejoined IBM in September 1999 as a Senior Development Manager in Storage Systems Software. Initially my task was to evaluate various technologies within IBM that could be used as a starting point for a Data Management System/Filesystem for Storage Area Networks (“SANs”) and then to build and manage a development team for that project. After a short time exploring technologies, no later than January 2000, I began working with David Pease and his team in IBM Research to productize the work they were doing, then called Storage Tank. I built a development team to work with the research team to commercialize that project.

8. I worked closely with David Pease and other team members on Storage Tank from early-2000 to late-2001 or early-2002 when I was assigned an 18-month job as a program manager for another product. After that concluded, I

returned to Storage Tank as a Manager of Storage Software at the Almaden Research Center.

9. In or around 2003, I was promoted to Senior Manager for Storage Management and Solutions, with responsibilities over Storage Tank and other research projects. I held that position until shortly before my retirement from IBM in 2013.

10. Attached hereto as **Appendix A** is a true and correct copy of my LinkedIn profile describing my background and experience.

### **III. THE '132 PATENT**

11. The inventions claimed in the '132 Patent were conceived and recorded in a specification no later than April 26, 2001, and were embodied in a working prototype no later than October, 2001. The subject matter described and claimed in the application that led to the '132 Patent was the product of work that I and others at IBM did on Storage Tank (including but not limited to Dr. Pease). We continuously worked to develop and commercialize those inventions through, and after, March 14, 2003, when the patent application was filed. We in research supported the development team in releasing the initial IBM SANFS product (based on Storage Tank) in October 2003, and continued with projects involving Storage Tank for several years.

12. Storage Tank was the first distributed data management system that

could support millions of live file operations across a Storage Area Network (“SAN”), and accommodate clients operating on multiple platforms, with policy management architecture designed to support multiple levels of service.

13. IBM commercialized Storage Tank under the brand name “IBM TotalStorage SAN File System”, which was released in or around October 2003.

14. I have reviewed U.S. Patent No. 7,269,612 (“Devarakonda”). I understand Petitioner contends that Devarakonda anticipates claims 15-21, 23-25 of the ’132 Patent. I also understand that Devarakonda was filed on May 31, 2002 and does not claim priority to any other document.

15. I declare that Devarakonda is not prior art to the inventions in the ’132 Patent. My co-inventors and I conceived the claimed inventions in the ’132 Patent prior to the filing date of Devarakonda. And we continuously worked to reduce our inventions to practice, implementing the ideas claimed in the patent, including both by working on the Storage Tank project and as demonstrated by the filing of the application for the ’132 Patent.

16. As evidence of that conception and diligence, I enclose Exhibits 2012-2013.

**A. Conception**

17. EX2012 attached hereto is a true and correct copy of the Storage Tank Initial Programming Functional Specifications, Version 1.1, dated April 26, 2001

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