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Total Changes

77

Text only comparison

Content

52 Replacements
13 Insertions
12 Deletions

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[Go to First Change \(page 1\)](#)

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CONFIGIT A/S
Petitioner

v.

VERSATA DEVELOPMENT GROUP, INC.
Patent Owner

Case IPR2021-01055
U.S. Patent No. 6,836,766

DECLARATION OF PAUL A. NAVRÁTIL IN SUPPORT OF PATENT
OWNER'S RESPONSE

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U.S. Patent and Trademark Office
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Versata EX2004
Configit v. Versata
IPR2021-01055

TABLE OF CONTENTS

I. Introduction 1
II. Qualifications..... 2
III. Summary and basis of opinions..... 4
 A. Relevant legal standards..... 4
 B. Materials considered 4
 C. The '766 patent..... 5
 D. Statements during prosecution 11
 E. Level of ordinary skill..... 11
IV. Claim construction: Configuration error means an error that occurs when either (1) a rule or series of rules is not properly defined and produces an undesired effect; or (2) a series of improperly defined rules causes a part to be in more than one state at the same time. 12
V. Conclusion..... 17

Page: 2

Text Replaced
[Old]: "4"
[New]: "5"

Text Replaced
[Old]: "construction 12 A."
[New]: "construction:"

Text Replaced
[Old]: "..... 12 B. Test case means one or more sets of selections that should be made, and sets of parts and their expected states based on new rules, as well as rules previously included in parts relationships and product definitions. 17 C. User has its plain and ordinary meaning in view of the specification, which is limited to the person who programs the configuration engine. 19 V. Conclusion 21"
[New]: "..... 12 V. Conclusion 17"

I, Paul A. Navrátil, Ph.D., declare as follows:

I. Introduction

1. I, Paul A. Navrátil, Ph.D., have been retained by Patent Owner, Versata Development Group, Inc., to provide my expert opinions as to certain issues in connection with its Patent Owner's **Response ("POR")** in the United States Patent and Trademark Office in response to a **Petition for Inter Partes Review (IPR)** ("the **Petition**") challenging U.S. Patent No. 6,836,766 ("the '766 patent") filed by Config A/S.

2. This **Declaration** is made based on my personal knowledge, expertise, training, and experience, as well as on my review of the materials cited by the **Petition, Institution Decision, and the POR**. If required, I would testify competently and truthfully regarding the contents of this **Declaration**.

3. I have no financial or other commercial interest in the outcome of this IPR. My compensation for this engagement is based on the hours of professional work performed and does not depend on the opinions that I provide or on the outcome of this IPR. I am being compensated by Patent Owner at my standard consulting rate of \$450 per hour plus expenses. In the past four years, I have provided testimony in the matters listed below:

- [W.D. Tex Civil Action No. 6:20-cv-00376-ADA. Alliance Computing III, Inc. d/b/a Surefield v. Redfin Corporation.](#)

Page: 3

Text Replaced
[Old]: "Preliminary Response ("POPR")"
[New]: "Response ("POR")"
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[Old]: "petition"
[New]: "Petition"
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[Old]: "declaration"
[New]: "Declaration"
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[Old]: "Petition and the POPR:"
[New]: "Petition, Institution Decision, and the POR."
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[Old]: "declaration:"
[New]: "Declaration."
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* W.D. Tex Civil Action No. 6:20-cv-00376-ADA. Alliance Computing III, Inc. d/b/a Surefield v. Redfin Corporation.*

- Harris County 55th Civil District Court No. 2019-38586. *Aspen Energy Partners, LLC and RigMinder Inc. v. Trinidad Design & Manufacturing US, Inc. and Ensign Energy Services, Inc.*
- D. Del. Civil Action No. 1:14-cv-01115-LPS-CJB. *Data Engine Technologies LLC v. Google Inc.*
- 200th J. Dist., Travis Co., TX NO. D-1-GN-17-006229. *Business Automation Associates, Inc. v. Versata Software, Inc.*
- S.D. Tex. Civil Action No. 4:15-2172-MH. *Digital Drilling Data Systems, LLC v. Petrolink Services, Inc. et al.*

4. I have been requested to provide my expert opinions regarding certain terms contained within the '766 patent and how a person of ordinary skill in the art (a "POSITA") around the priority date, January 31, 2001, would have understood and interpreted those terms.

5. In preparing this Declaration, I have considered my own knowledge, training, and experience, as well as the materials cited by the Petition and the POPR.

6. I reserve the right to respond to further comments or questions regarding the IPR or POPR in order to clarify or supplement this Declaration.

II. Qualifications

7. I am a Research Scientist and Director of Visualization at the Texas Advanced Computing Center ("TACC") at the University of Texas at Austin. I am also President of Navrátil Designs LLC, a technology consultancy.

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