

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 PRELIMINARY RESPONSE**

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 A. 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

 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

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 Preliminary Response ("POPR") 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 Configit 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 and the POPR. 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:

- 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.

8. I earned a B.S. degree in Computer Science and a B.A. degree in the Plan II honors program at the University of Texas at Austin in 1999. I earned an

M.S. degree and a Ph.D. degree, both in Computer Science, from the University of Texas at Austin in 2006 and 2010, respectively.

9. I have over twenty-three years of software development and project management experience, including rule-based systems and system configuration. As part of my undergraduate thesis, I implemented a simulated robotic soccer team using the Venus active rule system that successfully competed in the 1998 World Cup of Robotic Soccer. From 1999 to 2001, I was a software engineer at Liaison Technology, where I co-invented the core business technology used to perform rule-based automatic extraction of data from semi-structured sources, including product webpages (U.S. Patent 6,782,505). My doctoral dissertation was on large-scale, memory-efficient ray tracing developed methods for complex and dynamic scheduling of certain data to facilitate efficient visual data analysis at petascales and beyond. Since 2007, I have worked at the Texas Advanced Computing Center, where I regularly participate in data analysis projects at extreme scales that leverage complex rules and logic. I have served as visualization technical lead for over one dozen supercomputers at TACC, and I currently serve as senior personnel for Stampede2 and Frontera, the two largest supercomputers in the portfolio of the U.S. National Science Foundation and among the largest supercomputers in the world.

10. A copy of my curriculum vitae is attached as EX2002.

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