UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ROKU, INC. and VIZIO, INC., Petitioner

v.

ANCORA TECHNOLOGIES INC., Patent Owner

> Case IPR2021-01406 U.S. Patent No. 6,411,941

DECLARATION OF ANDREW WOLFE, PH.D., IN SUPPORT OF PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 6,411,941

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	В.	Chou
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	A.	Standards for Invalidity43
	В.	Claim 144
		1. Preamble: "A method of restricting software operation within a license for use with a computer including an erasable, non-volatile memory area of a BIOS of the computer, and a volatile memory area; the method comprising the steps of:"
		2. Element 1.a: "selecting a program residing in the volatile memory"
		3. Element 1.b: "using an agent to set up a verification structure in the erasable, non-volatile memory of the BIOS, the verification

		structure accommodating data that includes at least one license record"	
	4.	Element 1.c: "verifying the program using at least the verification structure from the erasable non-volatile memory of the BIOS, and"	
	5.	Element 1.d: "acting on the program according to the verification."	
C.		m 2: "A method according to claim 1, further comprising the steps stablishing a license authentication bureau."	
D.	Clair	m 374	
	1.	Preamble: "A method according to claim 2, wherein setting up a verification structure further comprising the steps of:"74	
	2.	Element 3.a: "establishing, between the computer and the bureau, a two-way data-communications linkage;"75	
	3.	Element 3.b: "transferring, from the computer to the bureau, a request-for-license including an identification of the computer and the license-record's contents from the selected program;"75	
	4.	Element 3.c: "forming an encrypted license-record at the bureau by encrypting parts of the request-for-license using part of the identification as an encryption key;"	
	5.	Element 3.d: "transferring, from the bureau to the computer, the encrypted license-record; and"	
	6.	Element 3.e: "storing the encrypted license record in the erasable non-volatile memory area of the BIOS."	
E.	Claim 6: "A method according to claim 1 wherein selecting a program includes the steps of: establishing a licensed-software program in the volatile memory of the computer wherein said licensed-software-program includes contents used to form the license-record."		
F.	Claim 7		
	1.	Preamble: "A method according to claim 6 wherein using an agent to set up the verification structure includes the steps of:"	
	2.	Element 7.a: "establishing or certifying the existence of a pseudo-unique key in a first non-volatile memory area of the computer; and"	

	3. Element 7.b: "establishing at least one license-record location in the first nonvolatile memory area or in the erasable, non- volatile memory area of the BIOS."		
G.	Claim 8		
	1. Preamble: "A method according to claim 6 wherein establishing a license-record includes the steps of:"		
	2. Element 8.a: "forming a license-record by encrypting of the contents used to form a license-record with other predetermined data contents, using the key; and"		
	3. Element 8.b: "establishing the encrypted license-record in one of the at least one established license-record locations."87		
H.	Claim 9		
	1. Preamble: "A method according to claim 7 wherein verifying the program includes the steps of:"		
	2. Element 9.a: "encrypting the licensed-software-program's license-record contents from the volatile memory area or decrypting the license-record in the erasable, non-volatile memory area of the BIOS, using the pseudo-unique key; and"		
	3. Element 9.b: "comparing the encrypted licenses- softwareprogram's license-record contents with the encrypted license-record in the erasable, non-volatile memory area of the BIOS, or comparing the license-software-program's license- record contents with the decrypted license-record in erasable non-volatile memory area of the BIOS."		
I.	Claim 10: "A method according to claim 9 wherein acting on the program includes the step: restricting the program's operation with predetermined limitations if the comparing yields non-unity or insufficiency."		
J.	Claim 11: "A method according to claim 1 wherein the volatile memory is a RAM."		
K.	Claim 12: "The method of claim 1, wherein a pseudo-unique key is stored in the non-volatile memory of the BIOS."		
L.	Claim 13: "The method of claim 1, wherein a unique key is stored in a first non-volatile memory area of the computer."		

	M.	Claim 14: "The method according claim 13, wherein the step of usin the agent to set up the verification record, including the license reco includes encrypting a license record data in the program using at lea the unique key."	ord, ast
	N.	Claim 16: "The method according to claim 13, wherein the step of verifying the program includes a decrypting the license record data accommodated in the erasable second non-volatile memory area of the BIOS using at least the unique key."	
V.	CON	CLUSION	.99

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