UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC., APPLE INC., HEWLETT PACKARD ENTERPRISE CO., ARUBA NETWORKS, LLC

Petitioners,

- vs. -

BILLJCO, LLC,

Patent Owner.

Case IPR2022-00426

U.S. Patent No. 8,761,804

EXPERT DECLARATION OF DARRELL D.E. LONG IN SUPPORT OF PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 8,761,804

TABLE OF CONTENTS

I.	INTRODUCTION AND QUALIFICATIONS1
II.	UNDERSTANDING OF THE GOVERNING LAW
	A. Invalidity by Obviousness
	B. Interpreting Claims Before the Patent Office
	C. Materials Relied on in Forming My Opinions
III.	OVERVIEW OF THE '804 PATENT10
	A. Specification of the '804 Patent10
	B. The Claims of the '804 Patent13
	C. The Prosecution History of the '804 Patent18
	D. The Priority Date of the '804 Patent19
IV.	STATE OF THE ART PRIOR TO THE '804 PATENT19
	A. The Person of Ordinary Skill in the Art19
	B. A POSA Would Have Known of Multiple Ways to Track and Locate Mobile Devices
	C. Himmelstein
	D. Myr
	E. Evans
V.	CLAIM CONSTRUCTION
VI.	GROUNDS OF INVALIDITY
	A. GROUND 1: Claims 1 and 10-12 of the '804 Patent are obvious in light of the combination of Himmelstein and Myr31

on to Combine		
y Analysis34		
: Claims 1 and 10-12 of the '804 Patent are obvious in light nation of Himmelstein, Myr and Evans71	B.	
DICIA OF NON-OBVIOUSNESS75	OB	VII.

I, Darrell D.E. Long, hereby declare as follows:

I. INTRODUCTION AND QUALIFICATIONS

1. I have been retained by Cisco Systems, Inc. ("Cisco"), Apple Inc. ("Apple"), Hewlett Packard Enterprise Co. ("Hewlett Packard") and Aruba Networks, LLC ("Aruba") (collectively, "Petitioners") to provide my technical review, analysis, insights, and opinions concerning the validity of the claims of U.S. Patent No. 8,761,804 (EX1001; "the '804 Patent") entitled "System and Method for Location Based Exchange of Data Facilitating Distributed Locational Applications." The patent is assigned to BillJCo LLC. ("BillJCo").

2. I am currently a Distinguished Professor of Engineering in the Jack Baskin School of Engineering at the University of California, Santa Cruz. I am also the Director of the Storage System Research Center at the University of California, Santa Cruz. Before that time, I was a research assistant at the University of California, San Diego, and a lecturer at San Diego State University. I was also a Visiting Scientist at IBM Research from 1995 until 2011. All of this experience is covered in my curriculum vitae (EX1003), which provides a more detailed recitation of my employment history and experience.

3. I have held numerous positions at the University of California and for various governmental agencies. For example, I have served as the Vice Chair and later Chair of the University of California Committee on Research Policy. I have served on the University of California President's Council on the National Laboratories, and on the Science & Technology, National Security and Intelligence Committees for these laboratories. I also serve on the University of California Academic Council Special Committee on Laboratory Issues (ASCOLI). I served for a number of years on the National Research Council's Standing Committee on Technology Insight-Gauge, Evaluate and Review (TIGER), on the Committee on Defense Intelligence Agency Technology Forecasts and Reviews, and on the National Research Council's Committee on Science and Technology for Defense Warning. I currently serve on the Intelligence Science and Technology Experts Group (ISTEG) for the National Academies of Science, Engineering, and Medicine.

4. I have also held visiting faculty positions at the Université Paris-Dauphine (Paris IX), the Conservatoire National des Arts et Métiers, the Université Paris – Descartes (Paris V), Sorbonne Université, the University of Technology, Sydney, the Center for Communications Research, the U.S. Naval Postgraduate School. Further, I am a Professor *ad Honorem* at the de la Universidad Católica del Uruguay. I am also an Associate Member of the European Organization for Nuclear Research (CERN).

5. I graduated from San Diego State University with a Bachelor of Science in Computer Science in 1984. I earned a Master of Science in Computer Science

DOCKET A L A R M



Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.