

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,

Petitioner,

v.

TRAXCELL TECHNOLOGIES, LLC,

Patent Owner.

IPR2022-00442 (Patent No. 10,820,147)

DECLARATION OF ROBERT VAN ESSEN

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United States Patent and Trademark Office
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I, Robert van Essen, do hereby declare as follows:

I. INTRODUCTION

1. I have been retained as an expert on behalf of Patent Owner Traxcell Technologies LLC (“Patent Owner” or “Traxcell”) in this *inter partes* review (“IPR”) proceeding of U.S. Patent No. 10,820,147 (“the ’147 Patent”). I understand this proceeding was initiated by Petitioner Google LLC (“Ppetitioner” or “Google”).

2. I have set forth my professional qualifications and relevant experience in Section II of this Declaration, and a copy of my curriculum vitae is available at Attachment A.

3. I have been asked to provide my expert opinions regarding the validity or invalidity of claims 1-2, 5-8, 11-13, 16-19, and 22 of the ’147 Patent.

4. I understand that Petitioner has asserted invalidity based on the following references:

Reference	Exhibit
U.S. Patent Application Pub. No. 2002/0002036 (<i>Uehara</i>)	1005
U.S. Patent No. 6,928,291 (Yiu)	1006
U.S. Patent No. 6,480,783 (Myr)	1007
U.S. Patent App. Pub. No. 2001/0002036 (“ <i>Machida</i> ”)	1009

I understand that Petitioner has asserted the following “grounds” of invalidity based on these references:

Ground	Challenged Claims	Alleged Basis	Asserted References
1	1, 5, 7, 8, 11, 12, and 17-19	Obviousness	Myr, Yiu
2	2, 6, 13, 16, and 22	Obviousness	Myr, Yiu, Machida
3	1, 5, 7, 8, 11, 12, and 17-19	Obviousness	Uehara, Myr, Yiu
4	22	Obviousness	Uehara, Myr, Yiu, Machida

As set forth in this Declaration, I do not agree that the identified combinations of references render obvious the challenged claims of the '147 Patent.

In forming my opinions, I have considered, among other things, the materials cited or discussed in this Declaration, the '147 Patent, the corresponding file history, Google's IPR Petition, Michalson's Declaration (Ex. 1003), and the references and exhibits on which Petitioner and Michalson rely. Additionally, I have relied on my own knowledge, training, and more than 30 years of experience in geospatial technology.

8. I am being compensated for my time in connection with this IPR at my standard consulting rate, and my compensation is not affected by the outcome of this matter.

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