

Ex. 2002 for IPR2022-01412, -01413, Declaration of W. Leo Hoarty
U.S. Patent Nos. 9,742,824 and 9,762,636

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,

Petitioner,

v.

WAG ACQUISITION, L.L.C.,

Patent Owner.

Case IPR2022-01412
U.S. Patent Nos. 9,742,824

Case IPR2022-01413
U.S. Patent Nos. 9,762,636

DECLARATION OF W. LEO HOARTY

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1. I, **W. LEO HOARTY**, declare the following:
2. I have been retained by counsel for Patent Owner, WAG Acquisition, L.L.C. (“WAG” or “Patent Owner”), to provide opinions on certain issues in connection with U.S. Patent Nos. 9,742,824 (the ’824 patent) and 9,762,636 (the “’636 patent”).¹
3. I am being compensated at a normal hourly rate for my time in preparing this declaration, with reimbursement for actual expenses. My compensation is not contingent on the outcome of this matter, or on the substance of my opinions.
4. I have been informed that WAG is a real-party-in-interest to the Petition. I have no financial interest in WAG. Nor do I have any financial interest in the Petitioner (Google LLC).

QUALIFICATIONS

5. I have approximately 40 years of experience in the field of the ’824 and ’636 patents, and their related family patents, including multimedia computer communications systems, and more particularly delivering streaming media, such as audio and video, on the internet (which started to become a widespread practice

¹ This declaration addresses both the ’824 (pre-recorded media) and ’636 (live media) patent, which share a common disclosure. Unless otherwise noted, (i) column and line citations are to the ’824 patent, and (ii) arguments herein with respect to the ’824 patent should be understood as also applying to the ’636 patent. The claims differ between the two patents to the extent shown by the redline comparison in EX2013.

beginning nearly 30 years ago). My education, training, experience, and other qualifications in this field are set forth at length in my CV, a copy of which is reproduced in Appendix A hereto.

6. I am familiar with the technology described in the '824 and '636 family patents as of their earliest claimed priority date of September 12, 2000. I have also appeared and qualified as an expert in numerous cases involving computer and network patents and technology, including before the PTAB, as also set forth in my CV. Highlights of my relevant qualifications, as set forth in my CV, include without limitation the following:

- Dotcast Inc. (MovieBeam)—I founded the company in 1999 and served as CTO. The company developed a settop box that received both over-the-air (OTA) and broadband (Internet) delivery of feature films stored on an internal hard drive of the settop. Movies were delivered in slower than real-time on 24/7 schedule (trickle filled cache.) Consumers selected programming from an internal user interface guide and purchased movies for rental under similar rules as Blockbuster. Service was live from 2004 to 2007 in the top 50 DMAs in the U.S. Service utilized HTTP, TCP, UDP, both OTA and via broadband.
- ICTV—Founded by me in 1990, renamed ActiveVideo Networks (AVN) in 2003, I was a founder and served as CTO. The company developed VOD as well as virtual cable TV settop cloud-based systems to deliver video as well as interactive program guide over managed (cable TV) and unmanaged (Internet) networks. AVN service is currently live in 24 million households of the Charter and TimeWarner systems. The system employed HTTP, TCP, UDP and custom adaptive bit rate streaming technologies.

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