

*Petition for Inter Partes Review
of U.S. Patent No. 9,148,493*

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Avi Networks, Inc.,
Petitioner

v.

Citrix Systems, Inc.,
Patent Owner.

Case No. Unassigned

U.S. Patent No. 9,148,493

**Declaration of Kevin Jeffay
In Support of Petitioner Avi Networks, Inc. in the
Petition for *Inter Partes* Review of U.S. Patent No. 9,148,493**

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I. INTRODUCTION

1. I, Kevin Jeffay, have been retained by Gibson, Dunn & Crutcher LLP on behalf of Petitioner Avi Networks Inc. (“Avi”) as an independent expert in this Petition for *inter partes* review by the U.S. Patent and Trade Mark Office. As part of my engagement, I have been asked to provide analysis and expert opinions on the following topics: (1) the disclosure of the U.S. Patent No. 9,148,493 (“the ’493 Patent”); and (b) the validity of claims 1–5, 7–13, and 15–20.

2. In my opinion, claims 1–5, 7–13, and 15–20 of the ’493 patent (“the Challenged Claims”) are invalid in view of the prior art I discuss in this Declaration. In particular, it is my opinion that the prior art discussed herein discloses, teaches, or suggests the invention claimed in the Challenged Claims, rendering the Challenged Claims invalid as anticipated by, and obvious over, the prior art. The particular references and/or combinations that invalidate the Challenged Claims, as well as the reasons for my opinions and bases thereof, are set forth in detail below.

3. I am being compensated for my work on this case at my standard consulting rate of \$700 per hour. I am also being reimbursed for my expenses that I may incur. My compensation is in no way contingent upon the results of my study, the substance of my testimony, or the outcome of this case.

4. Based upon the facts and information available to me to date, I detail my opinions relevant to this petition for *inter partes* review. I am prepared to provide expert testimony on the opinions formed herein if asked about those issues by the Board or others.

5. Additionally, I may discuss my own work, teachings, and knowledge of the state of the art in the relevant time period. I may rely on handbooks, textbooks, technical literature, and the like to demonstrate the state of the art in the relevant period and evolution of the technology.

6. Although I express my opinions in the matter named above herein, I respectfully reserve my right to alter or supplement my analysis in response to criticisms or alternative opinions offered by Citrix or its experts or any other matter that might cause me to alter my opinion.

7. It is my understanding that discovery may occur in this proceeding. As a result, I reserve the right to modify or supplement my opinions, as well as the bases thereof, in light of any documents, testimony, or other evidence that may emerge during the course of this matter, including depositions that have yet to be taken.

8. Throughout this declaration, I refer to specific line numbers or page numbers of the relevant prior art or other technical documents. The citations are

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