

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

META PLATFORMS, INC.,
Petitioner

v.

ANGEL TECHNOLOGIES LLC,
Patent Owner

Case IPR2023-00059
U.S. Patent No. 10,417,275

**DECLARATION OF DR. ELI SABER, PH.D.
IN SUPPORT OF PATENT OWNER'S RESPONSE**

TABLE OF CONTENTS

I.	INTRODUCTION.....	1
II.	BACKGROUND AND QUALIFICATIONS.....	3
III.	MATERIALS REVIEWED AND TIME OF ALLEGED INVENTION.....	8
IV.	LEGAL STANDARDS	10
1.	Overview	10
2.	Patent Claims	10
3.	Burden of Proof for Invalidity	11
4.	Claim Construction	12
5.	Person of Ordinary Skill in the Art.....	12
6.	Prior Art	12
7.	Anticipation.....	13
8.	Obviousness	14
V.	PERSON OF ORDINARY SKILL IN THE ART (POSITA).....	18
VI.	THE '275 PATENT	19
1.	Existing Technology	19
2.	Advantages Provided by the '275 Patent.....	20
3.	System Components.....	21
4.	The Operation of the '275 Patent's System.....	24
VII.	CLAIM CONSTRUCTION	26

VIII.	OVERVIEW OF ALLEGED PRIOR ART REFERENCES.....	27
1.	Sharpe.....	27
2.	Eintracht	31
3.	FotoFile	33
4.	Carey	34
IX.	THE ALLEGED PRIOR ART DOES NOT DISCLOSE OR SUGGEST THE CLAIMS OF THE '275 PATENT	35
1.	A POSITA Would Not Have Been Motivated to Combine Sharpe with Eintracht and FotoFile to Arrive at the Challenged Claims	35
2.	The Petition Fails to Explain How the Combination of Sharpe and Eintracht Would Operate	36
3.	Ground 1: Sharpe, Eintracht, and FotoFile Do Not Disclose or Suggest the Limitations of Claims 1-12	37
A.	Limitation 1[d]: “in response to receiving from the identifying user the input indicating the selection of the named user from the list of other users, determining a unique user identifier of the named user”	37
B.	Limitation 1[e]: “receiving, from the identifying user, one or more inputs indicating a set of coordinates corresponding to a location of the named user within the image; and”	42
C.	Limitation 1[f]: “applying artificial intelligence algorithms to image data of other images accessible to said computer system to locate images matching characteristics of a subset of image data bound by the set of coordinates corresponding to the location of the named user within the image, wherein the set of coordinates corresponding to the location of the named user within the image is associated with the unique user identifier of the named user and the unique image identifier.”	47
D.	Dependent Claims 2-12	51

a.	Claims 3 and 4	51
b.	Claim 7.....	53
c.	Claim 8.....	53
d.	Claim 9.....	55
e.	Claim 11.....	56
4.	Ground 2: Sharpe, Eintracht, FotoFile, and Carey Do Not Disclose or Suggest the Limitations of Claims 1-12	57
X.	CONCLUSION	58

I, Dr. Eli Saber, declare as follows:

I. INTRODUCTION

1. I have been retained as an independent expert consultant on behalf of Angel Technologies, LLC (“Patent Owner” or “Angel Technologies”) in this *Inter Partes* Review proceeding (“IPR”) before the Patent Trial and Appeal Board (“Board” or PTAB”) of the United States Patent and Trademark Office (“PTO”) regarding U.S. Patent No. 10,417,275 (“the ’275 patent” or “the Challenged Patent”) (Ex. 1001).¹ I am being compensated for the time I spend on this matter, in addition to expenses. My compensation in this case is in no way contingent on the nature of my findings, the presentation of my findings in testimony, or the outcome of this or any other proceeding. I have no other interest in this proceeding.

2. In particular, I have been asked to consider, and provide my opinions regarding, whether the alleged prior art references cited in this proceeding discloses or suggests the features recited in claims 1-12 (“the Challenged Claims”) of the ’275 patent, which I understand Meta Platforms, Inc. (“Petitioner” or “Meta”) has challenged in this IPR. In my view, the alleged prior art references do neither. This declaration is based on the information currently

¹ In this Declaration, I reference documents by exhibit numbers that, as I understand, are attached to exhibits in this *Inter Partes* Review of the ’275 Patent.

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.