

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re *Inter Partes* Review of:)
U.S. Patent No. 10,417,275)
Issued: Sep. 17, 2019)
Application No.: 15/933,531)
Filing Date: Mar. 23, 2018)

For: Artificial Intelligence Assisted Tagging of Users in Digital Media Online

FILED VIA P-TACTS

DECLARATION OF SYLVIA D. HALL-ELLIS, PH.D.

I. INTRODUCTION

1. My name is Sylvia D. Hall-Ellis. I have been retained as an expert by Petitioner.

2. I have written this declaration at the request of Petitioner to provide my expert opinion regarding the authenticity and public availability of a publication. My report sets forth my opinions in detail and provides the bases for my opinions regarding the public availability of this publication.

3. I reserve the right to supplement or amend my opinions, and bases for them, in response any additional evidence, testimony, discovery, argument, and/or other additional information that may be provided to or obtained by me after the date of this declaration.

4. I am being compensated for my time spent working on this matter at my normal consulting rate of \$325 per hour, plus reimbursement for any additional reasonable expenses. My compensation is not in any way tied to the content of this Declaration, the substance of my opinions, or the outcome of this dispute. I have no other interests in this proceeding or with any of the parties.

5. All of the materials that I considered are discussed explicitly in this Declaration.

II. QUALIFICATIONS

6. I am currently an Adjunct Professor in the School of Information at San José State University. I obtained a Master of Library Science from the University of North Texas in 1972 and a Ph.D. in Library Science from the University of Pittsburgh in 1985. Over the last fifty years, I have held various positions in the field of library and information resources. I was first employed as a librarian in 1966 and have been involved in the field of library sciences since, holding numerous positions.

7. I am a member of the American Library Association (“ALA”) and its Association for Library Collections & Technical Services (“ALCTS”) Division, and I served on the Committee on Cataloging: Resource and Description (which wrote the new cataloging rules) and as the founding chair of the Committee for Education and Training of Catalogers and the Competencies and Education for a Career in Cataloging Interest Group. I also served as the Founding Chair of the ALCTS Division’s Task Force on Competencies and Education for a Career in Cataloging. Additionally, I served as the Chair for the ALA Office of Diversity’s Committee on Diversity, a member of the REFORMA National Board of Directors, a member of the Editorial Board for the ALCTS premier cataloging journal, *Library Resources and Technical Services*, and as a Co-Chair for the

Membership Committee of the Library Research Round Table (LRRT) of the American Library Association. Currently, I serve as a member of the LRRT Nominating Committee

8. I have also given over one-hundred presentations in the field, including several on library cataloging systems and Machine-Readable Cataloging (“MARC”) standards. My current research interests include library cataloging systems, metadata, and organization of electronic resources.

9. I have been deposed twenty-five times: (1) *Symantec Corp. v. Finjan, Inc.*, Petition for *Inter Partes Review* of U.S. Patent No. 7,613,926, IPR 2015-01892, May 26, 2016, on behalf of Symantec Corp.; (2) *Symantec Corp. v. Finjan, Inc.*, 14-cv-299-HSG (N.D. Cal.), on behalf of Symantec Corp., September 14, 2017; (3) one deposition for ten matters: *Intellectual Ventures I LLC v. AT&T Mobility LLC*; AT&T Mobility II LLC, New Cingular Wireless Services, Inc., SBC Internet Services, Inc., Wayport, Inc., and Cricket Wireless LLC, C.A. No. 12-193 (LPS); *Intellectual Ventures II LLC v. AT&T Mobility LLC*; AT&T Mobility II LLC, New Cingular Wireless Services, Inc., SBC Internet Services, Inc., Wayport, Inc., and Cricket Wireless LLC, C.A. No. 13-1631 (LPS); *Intellectual Ventures I LLC v. T-Mobile USA, Inc. and T-Mobile US, Inc.*, C.A. No. 13-1632 (LPS); *Intellectual Ventures II LLC v. T-Mobile USA, Inc. and T-Mobile US, Inc.*, C.A.

No. 13-1633 (LPS); *Intellectual Ventures I LLC, v. Nextel Operations, Inc., Sprint Spectrum L.P., Boost Mobile, LLC and Virgin Mobile USA, L.P.*, C.A. No. 13-1634 (LPS); *Intellectual Ventures II LLC v. Nextel Operations, Inc., Sprint Spectrum L.P., Boost Mobile, LLC and Virgin Mobile USA, L.P.*, C.A. No. 13-1635 (LPS); *Intellectual Ventures I LLC, v. United States Cellular Corporation*, C.A. No. 13-1636 (LPS); *Intellectual Ventures I LLC v. United States Cellular Corporation*, C.A. No. 13-1637 (LPS); *Intellectual Ventures II LLC v. AT&T Mobility LLC, AT&T Mobility II LLC, New Cingular Wireless Services, Inc.*, C.A. No. 15-799 (LPS); *Intellectual Ventures I LLC v. T-Mobile USA, Inc. and T-Mobile US, Inc.*, C.A. No. 15-800 (LPS), on behalf of AT&T Mobility LLC; AT&T Mobility II LLC, Boost Mobile, LLC Cricket Wireless LLC, Nextel Operations, Inc., New Cingular Wireless Services, Inc., SBC Internet Services, Inc., Sprint Spectrum L.P., T-Mobile USA, Inc., T-Mobile US, Inc., United States Cellular Corporation Virgin Mobile USA, L.P., and Wayport, Inc., November 15, 2016; (4) *Hitachi Maxell, LTD., v. Top Victory Electronics (Taiwan) Co. Ltd., et al.*, 2:14-cv-1121 JRG-RSP (E.D. Texas), on behalf of Top Victory Electronics (Taiwan) Co. LTD, *et al.*, January 20, 2016; (5) *Sprint Spectrum, L.P. v. General Access Solutions, Ltd.*, Petition for *Inter Partes Review* of U.S. Patent No. 7,173,916, IPR 2017-01885, on behalf of Sprint Spectrum L.P., July 13, 2018; (6) *Nichia Corporation v.*

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