

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Under Armour Inc.,
Petitioner

v.

adidas AG,
Patent Owner

Case No. IPR2015-00698

Patent No. 8,092,345

DECLARATION OF DR. MARK T. JONES

I, Mark T. Jones declare as follows:

I. Introduction

1. I have prepared this Declaration for consideration by the Patent Trial and Appeal Board in connection with the above-referenced *inter partes* review proceeding.

2. I am over eighteen years of age, and I would otherwise be competent to testify as to the matters set forth herein if I am called upon to do so.

3. I have written this Declaration at the request of and have been retained by Kilpatrick Townsend & Stockton LLP, which represents Patent Owner adidas AG in connection with the above-captioned *inter partes* review proceeding.

4. I am being compensated at the rate of \$450 per hour for my time spent working in connection with this matter.

II. Background & Qualifications

5. In forming my opinions, I relied on my knowledge and experience in the field and on documents and information referenced in this Declaration.

6. I am a Professor of Electrical and Computer Engineering at Virginia Tech in Blacksburg, Virginia. I graduated summa cum laude from Clemson University in 1986 with a B.S. in Computer Science and a minor in Computer Engineering while holding a National Merit Scholarship and the R. F. Poole

Scholarship. I then graduated from Duke University in 1990 with a PhD in Computer Science while holding the Von Neumann Fellowship.

7. Upon graduation, I joined the Department of Energy at their Argonne National Laboratory facility. My responsibilities there included the design and use of software for computers with hundreds of processing elements. This software was designed for compatibility with new parallel computer architectures as they became available as well as with other large software components being written in the Department of Energy. While with DOE, I received the IEEE Gordon Bell Prize.

8. In 1994, I joined the Computer Science faculty at the University of Tennessee. My teaching responsibilities included computer architecture and computer networking. My research interests included the design and use of software that used the collective power of large groups of workstations. While at the University of Tennessee, I received a CAREER Award from the National Science Foundation.

9. In 1997, I joined the Electrical and Computer Engineering faculty at Virginia Tech. My teaching responsibilities have included the design of embedded systems, computer organization, computer architecture, a variety of programming courses, and parallel computing. These courses have included material on data storage systems, including RAID systems, as well as error detection and correction

techniques (e.g., parity bits). I have been cited multiple times on the College of Engineering's Dean's List for teaching.

10. In addition to the activities, education, and professional experience listed above, I have been involved in research projects that contribute to my expertise relating to this declaration. While at Virginia Tech, I have been a primary or co-investigator on government and industrial research grants and contracts in excess of five million dollars.

11. The majority of the research contracts undertaken in the laboratory have involved collaboration and coordination with other groups to build a larger system. My responsibilities under the SLAAC project (a collaborative effort funded by the Defense Advanced Research Projects Agency involving the University of Southern California, Sandia National Laboratory, Los Alamos National Laboratory, Brigham Young University, UCLA, Lockheed-Martin, and the Navy) included the development of a software system for monitoring, configuring, and controlling a networked collection of computers hosting specialized computer hardware. As part of the DSN project (a collaborative effort funded by the Defense Advanced Research Projects Agency involving UCLA and USC), I was responsible for designing algorithms and software for controlling and monitoring a large network of autonomous computer sensor nodes. This software

was integrated with software from several other teams around the country for a set of field demonstrations over a three-year period.

12. Other projects have involved the close coupling of computer hardware and software, including the writing of device drivers and simple operating systems, the design of hardware circuits, the design of new system architectures integrating low power data storage, architectures for secure computing, the modification of complex operating systems, and software for mediating between complex software packages. My work in e-textiles has focused on new architectures that integrate fault tolerant networks. I have designed image transmission systems for reliably transmitting images over wireless links using compression and error-correction techniques.

13. A detailed record of my professional qualifications is set forth in Attachment A to this, which is my curriculum vitae, including a list of publications, awards, research grants, and professional activities.

III. Information Considered

14. In forming my opinions, in addition to my knowledge and experience, I have considered a variety of documents and things that I have obtained, or that have been provided to me. This includes U.S. Patent No. 8,092,345, (“the ‘345 patent”). In addition to the ‘345 patent, I have also considered U.S. Patent Nos. 7,905,815, 7,931,562, 8,579,767, 8,725,276, 8,721,502, 8,652,009, 7,292,867,

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.