

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: Ric B. Richardson

U.S. Patent No.: 8,566,960 Attorney Docket No.: 19473-0378IP1

Issue Date: October 22, 2013

Appl. Serial No.: 12/272,570

Filing Date: November 17, 2008

Title: SYSTEM AND METHOD FOR ADJUSTABLE LICENSING
OF DIGITAL PRODUCTS

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DECLARATION OF ANTHONY J. WECHSELBERGER.

1. I, Anthony J. Wechselberger, of Escondido, CA, hereby declare the following:
2. I have been retained on behalf of Google Inc. (“Google”). I understand that Google is the Petitioner in an *Inter Partes* Review before the Patent Trial and Appeal Board (“PTAB” or “Board”) of U.S. 8,566,960 (“the ’960 Patent”) (GOOGLE-1001). The ’960 Patent claims priority to U.S. Provisional Patent Application No. 60/988,778 (“the ’778 Provisional”).

3. I have been asked to opine on the subject of the validity of the claims of the '960 Patent.

4. I am currently the president of Entropy Management Solutions located in Escondido, CA. Entropy Management Solutions offers consulting services in the areas of technology, R&D management, and systems engineering, amongst others, with a focus on broadband and multimedia systems and networking for content management, distribution and consumption. My qualifications for formulating my analysis on this matter are summarized here and are addressed more fully in my *curriculum vitae*, which is attached as Appendix A.

5. I received a Bachelor of Science degree in Electrical Engineering from the University of Arizona in 1974. In 1979, I received my Masters of Science degree in Electrical Engineering from San Diego State University. I also completed an Executive Program for Scientists and Engineers at the University of California, San Diego, in 1984.

6. From 1974 to 1980, I was employed by General Dynamics in the Electronics Division, where I started as a design engineer and later became a project engineer. Following my time at General Dynamics, I was a staff scientist in the corporate advanced technology group of OAK Industries, Inc. from 1980 to 1982. In 1982, I transferred to the OAK Communications, Inc. arm of OAK Industries. At OAK Communications, I was the manager and director of engineering from 1982 to

1985, and the Vice President of Technical Operations from then until 1988. I served as the Senior Vice President of Domestic Operations at OAK Communications from 1988 until 1990, at which time the OAK Communications division was divested from OAK Industries and became TV/COM International. I then worked as the Vice President and Chief Technical Officer of TV/COM International, Inc., until it became a subsidiary of Hyundai Electronics America in 1995. I then became the General Manager of the Conditional Access Business Unit at TV/COM. After serving as General Manager for two years, in 1997 I became the Vice President of Product Management at TV/COM. I then started Entropy Management Solutions in 1999, where I continue to hold the position of President.

7. Through my professional career, I have accumulated over forty years of experience researching, designing, and implementing content distribution systems, including in the areas of content distribution security, content distribution standards development, cable and satellite broadcasting systems, and broadband systems.

8. I am a named inventor on several patents and patent applications. The earliest of these, directed to a “Multilayer Encryption System for the Broadcast of Encrypted Information,” issued in 1985 (U.S. Patent No. 4,531,020). I am also a named inventor on U.S. Patent No. 5,113,440 for a “Universal Decoder,” and am

named on patent applications directed to “Anonymous Transactions over a System of Networked Computers” and “Storage and Delivery of Electronic Media with Advertising.”

9. I have published or participated in numerous technical papers, journal articles, technical panels, and technical and marketing presentations in the fields of content security, broadband and internet security, cable and satellite broadcasting, and standards development. Representative titles include “Content Ownership Rights: Distribution and Security Issues” (2004) and “Methodologies for Multiple Conditional Access Technologies in Digital Delivery Systems” (1994), and others are included in my *curriculum vitae*, which is attached as Appendix A.

10. In addition to gaining expertise via my academic training, professional experiences, and accomplishments in research and development, I have kept abreast of the field of content distribution and content rights management by reading technical literature and attending and presenting at conferences, as discussed above. I have also had an active role in several technical societies and organizations over the years, including the Society of Cable & Telecommunications Engineers, the Society of Motion Picture and Television Engineers, the Advanced Television Systems Committee, the International Organization for Standardization (ISO), and the Institute of Electronic and Electrical Engineers.

11. My opinions set forth in this declaration are informed by my experience in the fields of electrical engineering and computer science, and more particularly, in the fields of content distribution and digital content rights management. Based on my above experience, I am an expert in these fields. Also, based on my experiences, I understand and know the capabilities of persons of ordinary skill in these fields during the relevant time period during the late 2000s. I worked in research and development directly, managed those efforts in various roles, participated in organizations and technical conferences, and otherwise worked closely with many such persons during that time frame and preceding time frames over my forty years in the industry.

12. As part of my independent analysis for this declaration, I have considered the following: my own knowledge and experience, including my own work and research experience in the fields of content rights management and content distribution, my participation in professional organizations and conferences in those fields; and my experience in working with others in the relevant technical areas. In addition, I have analyzed the following materials:

- The disclosure and claims of U.S. Patent No. 8,566,960 (“the ’960 Patent”; GOOGLE-1001);
- File History for U.S. Patent No. 8,566,960 (GOOGLE-1002);
- *Curriculum Vitae* of Anthony J. Wechselberger (“CV”; Appendix A);

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