UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION
Petitioner

v.

Patent of PROXYCONN, INC.
Patent Owner

Cases:	IPR2012-00026, IPR2013-00109
Patent No.:	6,757,717 B1
Filed:	September 16, 1999
Issued :	June 29, 2004
Inventor:	Leonid Goldstein
Title:	SYSTEMS AND METHODS FOR DATA ACCESS
Docket No.:	16502-400002

DECLARATION OF ALON KONCHITSKY

I. BACKGROUND AND QUALIFICATIONS.

1. I am a Technology Consultant at AlonKon LLC, an IP Consulting Service.

2. I have been asked by counsel for Proxyconn Corporation to opine in this matter. I make this statement based upon facts and matters within my own knowledge or on information provided to me by others. All such facts and matters are true to the best of my knowledge and belief.

3. I hold a B.A. in computer science from the Academic College of Tel Aviv University, a P.E. in electrical engineering from the Tel Aviv Institute of Technology, and a Ph.D. in electrical engineering from Bournemouth University. I also hold a post-graduate degree in CDMA engineering from the University of California at San Diego and have conducted research in affiliation with Stanford University.

4. From 1997 to 2001, I worked as a Software Engineer, at Intel which acquired DSP Communications, Inc. ("DSPC") in 1998.

5. From 2001 to 2004, I was employed by Nokia , which at that time was the largest cell phone manufacturer in the world. I began my career at Nokia as a system design and integration engineer responsible for all layers and aspects of software stack integration. I later became a system architect and in that capacity prepared system design specifications. This work was done in connection with a

Stanford University-affiliated project.

6. From 2004 to 2006, I worked for IP Valuations LLC, where my practice focused on evaluation of patents.

7. In 2006 I founded Noise Free Wireless, Inc., which was a software provider to the telecommunications industries.

8. I am currently an intellectual property and technology consultant for AlonKon LLC.

9. I hold 30 granted and published patents, most of which are directly related to the telecommunications space.

10. Appended to this Declaration is a true and accurate copy of my CV.

II. COMPENSATION

11. I am being compensated by counsel for Proxyconn Inc. at my usual compensation rate of $350/hour for consulting and $500/hour for testimony in deposition or trial. I have no financial interest in the outcome of the related litigation or this proceeding.

III. SUMMARY OF MY STUDY AND CONCLUSIONS

12. I have read U.S. Patent No. 6,757,717 (the "'717 Patent"). The '717 Patent concerns technology within my areas of expertise. I have considered the

patent's disclosures from the perspective of a person of ordinary skill in the art in 1998.

13. The '717 Patent relates to data access. As described in the Background (col. 1, lines 8-26) the problem addressed is a client computer requesting data from a remote computer.

14. I have also read the following references cited in the Decisions of the Patent Trial and Appeal Board instituting Inter Partes Review of the '717 Patent, and considered them from the perspective of the person of ordinary skill in the art in 1998.

Perlman et al., U.S. Patent No. 5,742,820, "Mechanism for Efficiently Synchronizing Information Over a Network," (Perlman).

Yohe et al., U.S. Patent No. 5,835,943, "Apparatus and Method for Increased Data Access in a Network File Oriented Caching System," (Yohe).

Santos et al., "USENIX, Increasing Effective Link Bandwidth by Suppressing Replicated Date," Proceedings of the USENIX Annual Technical Conference (NO 98) New Orleans, Louisiana, June 1998 ("Santos").

Hoff et al., "The HTTP Distribution and Replication Protocol," W3C Note, http://www.w3.org/TR/NOTE-drp-19970825.html, August 1997. ("DRP").

Mattis et al., U.S. Patent No. 6,292,880, "Alias-Free Content-indexed Object Cache," ("Mattis").

IV. OPINIONS ABOUT PERLMAN

15. I have reviewed Perlman with respect to Original Claims 1, 3, and 22-24. In my opinion a person of ordinary skill in the art in the 1988 time frame would have understood Perlman to relate to database synchronization, rather than data access between sender and receiver.

16. In my opinion Perlman solves a different problem than the system of '717 Patent claims 1 and 3 or the method of claims 22-24, because Perlman involves database synchronization by keeping all computers up to date. Where the '717 Patent provides a data access response to request-for-information at a receiver-computer.

17. In Perlman, the receiver computer should always have an identical/synchronized content as the sender/computer, and thus there is no need to check with the sender computer. In contrast, in the system claimed in claims 1 and 3 and with the method claimed in claims 22-24, a request is sent and digital digests

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