

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FACEBOOK, INC., INSTAGRAM, LLC, and WHATSAPP INC.,
Petitioners,

v.

BLACKBERRY LIMITED,
Patent Owner

IPR2019-00706
U.S. Patent No. 9,349,120

**DECLARATION OF DR. HUGH M. SMITH
IN SUPPORT OF PATENT OWNER'S RESPONSE**

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I, Hugh M. Smith, declare as follows:

I. INTRODUCTION

1. My name is Hugh M. Smith. I am a Professor of Computer Science at California Polytechnic State University, with significant experience in communications hardware and software both at the application and system level. I have been retained to serve as an expert on behalf of Patent Owner BlackBerry Limited (“BlackBerry” or “Patent Owner”) in connection with the above-captioned *inter partes* review (“IPR”) proceeding, to provide my analyses and opinions in certain technical aspects of this proceeding. I understand that this Declaration is used to support BlackBerry’s Patent Owner Response regarding challenged claims of U.S. Patent No. 9,349,120 (“the ’120 Patent”) (Ex. 1001).

2. I am being compensated for my work on this case at my standard consulting rate of \$600 per hour. I am also being reimbursed for all incurred expenses. No part of my compensation is contingent upon the outcome of this proceeding. I have no other interests in this proceeding or with any of the parties.

3. I am competent to testify to the matters stated in this Declaration, have personal knowledge of the facts and statements herein, and each of the statements is true and correct.

II. BASIS FOR OPINION**A. Qualifications**

4. I have more than 30 years of experience in the field of computer science.

5. I received a bachelor's degree in Computer Science from Xavier University in 1985. Additionally, I received a master's degree (1994) and a Ph.D. (1999) in Computer Science from Michigan State University.

6. In 2000, I joined the faculty of the Department of Computer Science at California Polytechnic State University ("Cal Poly"). I am currently a tenured full professor in that department. I served as Director of the Cal Poly Computer Engineering Program from 2009-2013 and again from 2016-2017.

7. Among other topics, my research focuses on mobile devices and mobile device software, including application development and computer networks. I also study distributed systems, embedded systems, programming, and robotics. I have published papers, taught courses, and delivered lectures relating to these fields.

8. I have been involved in the study and development of smartphone applications since 2010. Between 2010 and 2013, I developed and released Lockmenu, an application for the Android mobile operating system that enables users to launch applications directly from their mobile devices' lock screens. The

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