UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ABB INC.,

Petitioner

v.

ROBOTIC VISION TECHNOLOGIES, LLC,

Patent Owner

Patent No. 8,095,237

Inter Partes Review No.
IPR2023-01426

DECLARATION OF SYLVIA HALL-ELLIS, PH.D.

I. INTRODUCTION

1. My name is Sylvia D. Hall-Ellis. I have been retained as an expert on behalf of ABB Inc. ("Petitioner").

2. I have written this Declaration on behalf of Petitioner to provide my expert opinion regarding the authenticity and public availability of two publications. My Declaration sets forth my opinions in detail and provides the basis for my opinions regarding the public availability of these publications.

3. I reserve the right to supplement or amend my opinions, and basis for them, in response to any additional evidence, testimony, discovery, argument, and/or other additional information that may be provided to 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 $350 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 litigation. 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 50-plus 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 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 Chair of the ALCTS Division's Task Force on Competencies and Education for a Career in Cataloging. Additionally, I have served as the Chair for the ALA Office of Diversity's Committee on Diversity, as a member of the REFORMA National Board of Directors, as a member of the Editorial Board for the ALCTS premier cataloging journal, *Library Resources and Technical Services,* as a Co-Chair of the Library Research Round Table (LRRT) for the

American Library Association, and 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. My full curriculum vitae is attached hereto as Exhibit A.

III. LIBRARY CATALOGING PRACTICES

A. MARC RECORDS AND THE ONLINE LIBRARY CATALOG

10. I am fully familiar with the library cataloging standard known as the MARC standard, which is an industry-wide standard method of storing and organizing library catalog information.[1] MARC was first developed in the 1960s by the Library of Congress. A MARC-compatible library is one that has a catalog consisting of individual MARC records for each of its items. Today, MARC is the primary communications protocol for the transfer and storage of bibliographic metadata in libraries.

11. MARC is a framework into which descriptive bibliographic data are transcribed to interact with the software in online library catalogs to provide access

[1] The full text of the standard is available from the Library of Congress at http://www.loc.gov/marc/bibliographic/ (last visited July 5, 2023).

to books, journals, and other resources in the collection. The bibliographic data provide points of access and can be searched by a person of ordinary skill in the art at the time of the invention ("POSITA," see paragraphs 35-37 below) to identify and obtain resources in the library collection. An information seeker (or POSITA) can search a local online library catalog or the holdings of a group of libraries in a state or region or in the global catalog WorldCat.

12. MARC records are not designed for public viewing. Although a significant number of libraries provide access to the MARC version of a bibliographic record, the public display is designed to show information in a succinct manner that is quickly understood and useful to the information seeker. Libraries determine the default search for the online catalog to make the entry of search terms efficient and result in a successful search. Information seekers can enter a keyword, title, author, or standard number for the item. Libraries may also provide a search capability called "Summon" that allows the information seeker to enter known information about the item to conduct a search.

13. Since at least the early 1970s and continuing to the present day, MARC has been the primary communications protocol for the transfer and storage of bibliographic metadata in libraries.[2] As explained by the Library of Congress:

[2] A complete history of the development of MARC can be found in *MARC: Its History and Implications* by Henrietta D. Avram (Washington, DC: Library of

DOCKET ALARM

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.