

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

XACTWARE SOLUTIONS, INC.,

Petitioner,

v.

EAGLE VIEW TECHNOLOGIES, INC.,

Patent Owner

Patent No. 9,135,737

Issued: September 15, 2015

Filed: August 1, 2014

Inventors: Chris Pershing

Title: CONCURRENT DISPLAY SYSTEMS AND METHODS FOR AERIAL
ROOF ESTIMATION

Inter Partes Review No. IPR2016-00592

**DECLARATION OF CHRIS JOHNSON UNDER 37 C.F.R. § 1.68 IN
SUPPORT OF PATENT OWNER'S RESPONSE**

**Eagle View 2011
Xactware v. Eagle View
IPR2016-00592**

I, Chris Johnson, do hereby declare as follows:

1. I am the Vice President of Finance of Patent Owner Eagle View Technologies, Inc. (“Eagle View Technologies”). I have knowledge of the following and, if called as a witness, could testify completely to the contents of this declaration. My general responsibilities include overseeing the financial business records of Eagle View Technologies.

2. I submit this declaration, along with the exhibits attached hereto, in support of Patent Owner’s Response in the above-captioned *Inter Partes* Review. I was responsible for gathering the attached sales data from Eagle View Technologies’ financial business records.

3. Attached hereto as Exhibit 2012 is a true and accurate copy of Eagle View Technologies’ summary revenue analysis for the years 2009 through 2012 produced in *Eagle View Technologies, Inc. et al. v. Xactware Solutions, Inc. et al.*, No. 1-15-cv-07025 (NJD) bearing production number EV01427937. Exhibit 2012 is a financial business record maintained in the ordinary course of business by Eagle View Technologies in its accounting software systems. The Total Report Count and Total Revenue reported in Exhibit 2012 reflect sales of reports created using the Twister and Render House products.

4. Attached hereto as Exhibit 2013 is a true and accurate copy of Eagle View Technologies’ summary revenue analysis for the year 2013 produced in *Eagle*

View Technologies, Inc. et al. v. Xactware Solutions, Inc. et al., No. 1-15-cv-07025 (NJD) bearing production number EV043428. Exhibit 2013 is a financial business record maintained in the ordinary course of business by Eagle View Technologies in its accounting software systems. The Roof Measurement report count and revenue reported in Exhibit 2013 reflect sales of reports created using the Twister and Render House products.

5. Attached hereto as Exhibit 2014 is a true and accurate copy of Eagle View Technologies' summary revenue analysis for the year 2014 produced in *Eagle View Technologies, Inc. et al. v. Xactware Solutions, Inc. et al.*, No. 1-15-cv-07025 (NJD) bearing production number EV01427938. Exhibit 2014 is a financial business record maintained in the ordinary course of business by Eagle View Technologies in its accounting software systems. The Roof Measurement report count and revenue reported in Exhibit 2014 reflect sales of reports created using the Twister and Render House products.

6. Attached hereto as Exhibit 2015 is a true and accurate copy of Eagle View Technologies' summary revenue analysis for the year 2015 produced in *Eagle View Technologies, Inc. et al. v. Xactware Solutions, Inc. et al.*, No. 1-15-cv-07025 (NJD) bearing production number EV01427936. Exhibit 2015 is a financial business record maintained in the ordinary course of business by Eagle View Technologies in its accounting software systems. The Roof and QuickSquares

report count and revenue reported in Exhibit 2015 reflect sales of reports created using the Twister and Render House products.

I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true. I understand that willful false statements and the like are punishable by fine or imprisonment or both. *See* 18 U.S.C. § 1001.

Date: 11/11/16


Chris Johnson