

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

META PLATFORMS, INC.,
Petitioner

v.

SITNET, LLC,
Patent Owner

Case IPR2024-00530
U.S. Patent No. 9,877,345

**DECLARATION OF DR. JEREMY COOPERSTOCK IN SUPPORT OF
PETITIONER'S REPLY TO PATENT OWNER'S RESPONSE**

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Meta EX1033
IPR2024-00530
U.S. Patent No. 9,877,345

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I, Jeremy Cooperstock, hereby declare as follows.

I. INTRODUCTION

1. I have been retained as an expert witness on behalf of Petitioner Meta Platforms, Inc. (“Petitioner”) for the above-captioned *inter partes* review (IPR) IPR2024-00530 regarding U.S. Patent No. 9,877,345 (“the ’345 patent”) (EX1001). I am being compensated for my time in connection with this IPR at my standard consulting rate as of the time I was retained to work on this litigation in 2023.

2. I previously submitted two Declarations in support of the Petitioner for this IPR. This present Declaration is in support of Petitioner’s Reply to Patent Owner’s Response. I am also submitting another declaration in support of Petitioner’s Opposition to Patent Owner’s Contingent Motion to Amend.

3. I understand that Patent Owner submitted a Patent Owner’s Response (“POR”) on December 3, 2024. In the POR, Patent Owner proposed additional claim constructions and interpretations of the claims of the ’345 patent. POR, 1-4, 12-15, 21-24. I have been asked to provide my technical review, analysis, insights, and opinions about these claim constructions and whether the prior art and grounds of unpatentability that I previously analyzed still render the claims obvious even under these additional constructions. While a POSA would not have interpreted the claims in the manner that SitNet proposes, a POSA would have nevertheless

recognized that the art still discloses the claims for the reasons provided in my previous declarations and as I explain below. *See* Sections II-IV.

4. My background and qualifications were provided in paragraphs 4-11 of my original declaration, EX1003, and my CV was provided as EX1004. My statements in my original declaration regarding my review of the '345 patent and related materials remain unchanged. In reaching my opinions, I reviewed the POR, Dr. Aviel Rubin's declaration (EX2009), as well as the materials reviewed as part of my original declaration. The table below summarizes the exhibits that I have reviewed:

Exhibit No.	Description
1001	U.S. Patent No. 9,877,345 to Cona et al. ("345 patent")
1002	Prosecution History of U.S. Patent No. 9,877,345 ("345 File History")
1004	<i>Curriculum Vitae</i> of Dr. Jeremy Cooperstock
1005	U.S. Publication No. 2008/0139165 to Gage et al. ("Gage")
1006	U.S. Publication No. 2003/0162557 to Shida ("Shida")
1007	U.S. Publication No. 2008/0208605 to Sinha et al. ("Sinha")
1008	U.S. Provisional Application No. 60/862,365 to Sinha et al. ("Sinha Provisional")
1009	U.S. Publication No. 2003/0197615 to Roche et al. ("Roche")
1010	U.S. Patent No. 9,143,535 to Cona et al. ("Cona")
1011	U.S. Patent No. 8,045,455 to Agronow et al. ("Agronow")
1012	U.S. Publication No. 2007/0276908 to Asthana et al. ("Asthana")
1013	U.S. Publication No. 2007/0194938 to Mitchell ("Mitchell")

Exhibit No.	Description
1014	Japanese Patent Application Publication 2005-80211 to Ikeda (with certified English translation) (“Ikeda”)
1015	U.S. Patent No. 7,817,982 to Chu et al. (“Chu”)
1016	U.S. Patent No. 8,024,330 to Franco et al. (“Franco”)
1017	U.S. Publication No. 2005/0197775 to Smith (“Smith”)
1018	U.S. Publication No. 2007/0233635 to Burfeind et al. (“Burfeind”)
1019	U.S. Publication No. 2006/0270419 to Crowley et al. (“Crowley”)
1020	U.S. Publication No. 2006/0047825 to Steenstra et al. (Steenstra”)
1021	U.S. Publication No. 2006/0155809 to Arav (“Arav”)
1022	U.S. Publication No. 2006/0117051 to Chin (“Chin”)
1027	Transcript of the Deposition of Aviel D. Rubin, Ph.D., February 7, 2025
2007	Claim Construction Order in <i>SitNet LLC v. Meta Platforms, Inc.</i> , No. 1:23-cv-06389-AS (Dkt. 79).
2009	Supplemental Expert Report of Dr. Aviel D. Rubin

5. I also reviewed my previously submitted declarations (EX1003, EX1026) and incorporate those opinions into this declaration. In particular, from EX1003, I incorporate the following sections and paragraphs:

- Legal Understanding (¶¶17-31);
- Overview of the ’345 Patent (¶¶32-36);
- Overview of the Technology (¶¶37-56);
- Prosecution History (¶¶57-58);
- Level of Ordinary Skill in the Art (¶¶59-60);

- Claim Construction (§61);
- Overview of the Prior Art – Including Gage, Mitchell, Shida, and Sinha (§§62-69);
- Ground 1 - Gage renders obvious claims 1, 3-8, 10-13, and 15-16 (§§70-138);
- Ground 2 - The combination of Gage and Mitchell renders obvious claims 2, 9, and 14 (§§139-153);
- Ground 3 - Shida renders obvious claims 1, 3-4, 6-8, 10-13, and 15 (§§154-212); and
- Ground 4 - The combination of Shida and Sinha renders obvious claims 2, 5, 9, 14, and 16 (§§213-237).

II. CLAIM CONSTRUCTION

6. As indicated in my previous declarations (EX1003, EX1026), it is my opinion that each claim term should be given its plain and ordinary meaning.

EX1003, §61; EX1026, §2. I understand that in its Patent Owner Response, Patent Owner (“SitNet”) explicitly proposes a construction for “situational network” and then describes additional limitations required for a “situation authority.” POR, 1-4, 12-13, 22-23. I disagree with these constructions for the following reasons.

A. “Situational Network”

7. In the POR, SitNet indicates that the District Court construed the term

“situational network” as “a network created in response to an event or situation.”

POR, 1; EX2007, 2-4. SitNet, however, continues on and argues that forming a “situational network” “excludes pre-established networks” or systems where “all elements were interconnected prior to [an] event or situation.” POR, 2, 4. SitNet continues and states that forming a situational network also requires a “new connection to be established incorporating at least one new element.” POR, 4. SitNet also proposes a requirement that forming the situational network requires forming “temporary” links based on geographic proximity and “dynamically connecting and disconnecting users from a situational network based on a user’s proximity to an event or situation.” POR, 9-10.

8. In view of the plain language of the claims and the specification, a POSA would not have construed the claimed “situational network” to include these additional limitations. For example, independent claims 1, 8, and 13 do not exclude pre-established networks or require a “new connection” or “new element” to form a network. Rather, as noted in the POR, the District Court indicated that a “situational network” is “a network created in response to an event or situation.” POR, 1; EX2007, 2-4. The POR also notes that the Board’s Institution Decision acknowledged this construction as well. POR, 1; DI, 11-12. A POSA would have also determined that based on the language of the claims, the additional limitations and restrictions proposed by SitNet would not have been included.

9. Additionally, the specification does not impose SitNet's restrictions.

The specification indicates that:

Referring generally to FIG. 1, a situational network 3000 is created when an occurrence or expected occurrence of an event or situation 3005 causes connections, also referred to as links, to be established between, within or among a set of participants 250, 207.

EX1001, 4:3-7.

10. Based on the foregoing, the specification does not appear to impose any additional restrictions or exclude any pre-existing networks. In this manner, the claims and the specification do not support SitNet's proposed additional limitations.

11. Based on my review, neither SitNet's other arguments nor Dr. Rubin's analysis support SitNet's proposed additional limitations. For example, I understand that SitNet proposed construing a "situational network" as "a network that is a subset of a larger network, comprising member nodes, formed in response to an event or situation" before the District Court. EX2007, 2. Additionally, SitNet acknowledges in the POR that when forming a situational network, a "new network may be derived from an old network." POR, 3. Based on these statements, SitNet appears to acknowledge that elements of a pre-established network can be used when forming a situational network. This therefore does not exclude using pre-established networks.

12. Dr. Rubin also agreed with this understanding during his deposition:

Q. If there's a device that's part of an existing network --

A. Okay.

Q. -- could that device be included in the formation of a situational network?

A. Yes.

EX1027, 56:2-7.

13. I understand that Dr. Rubin continued by explaining in order for that device that is part of the existing network to be included in the situational network being formed, a "new connection" to that device would have been "created."

EX1027, 56:11-16. Dr. Rubin's declaration also supports this understanding where he explains that "pre-existing connections" from a "pre-existing network" can be used during the formation of a situational network. EX2009, ¶55; POR, 3. Based on his explanation, Dr. Rubin also appears to agree with SitNet that forming a situational network does not exclude pre-existing networks.

14. Based on the claim language, specification, and statements made by SitNet and Dr. Rubin, the Board should not construe "situational network" as interpreted in the POR. Regardless, even if SitNet's additional limitations were added, Gage and Shida both disclose the claimed formation of a situational network for the reasons that I provided in my previous declaration. EX1003, ¶¶79-

90, 158-168.

B. “Situation Authority”

15. While SitNet does not present a separate section that construes “situation authority,” SitNet’s discussion of the claim term appears to introduce a new claim construction. Specifically, SitNet appears to argue that a “situation authority” must be “external” to a “situational network.” POR, 12-13, 22-23. A POSA, however, would not have interpreted the term “situation authority” to include such a requirement based on the claims and the specification.

16. For example, the claims do not use the term “external,” so the plain language of the claim does not suggest that the situation authority must be external to a situational network.

17. Additionally, while the specification uses the term “external entities 207,” the specification does not include a requirement for a situation authority to be external to a situational network. Rather, the specification describes situation authorities as part of the situational network:

In the context of the *situational network 3000*, *the participants may include* external entities 207, also called situation authorities, central authorities or trusted providers, that generally are able to aggregate and provide comprehensive information related to the situation.

EX1001, 4:16-20 (emphasis added).

18. As seen here, the specification permissively describes the situation

authority as part of the situational network rather than being external to the situational network.

19. I also note that SitNet’s interpretation appears to conflict with the District Court’s construction of “an entity providing information concerning a situation.” EX2007, 4. I understand that Dr. Rubin also agreed with this construction. EX1027, 35:11-20. Dr. Rubin further explained:

Q. That construction does not require the situation authority to be external, right?

A. It doesn’t say anything about that.

EX1027, 72:16-18.

Q. Would the entity in that definition be a server?

A. Yes.

EX1027, 35:21-36:1.

20. Based on this analysis, neither the claims, specification, nor Dr. Rubin appear to support the notion that a “situation authority” must be external to a situational network.

21. Regardless, even if SitNet’s additional limitations were added, Gage and Shida both disclose the claimed situation authority for the reasons that I provided in my previous declaration and for the additional reasons I present below.

EX1003, ¶¶104, 178.

III. GAGE RENDERS THE CLAIMS OBVIOUS EVEN UNDER SITNET'S PROPOSED CONSTRUCTIONS

22. In my previous declaration (EX1003), I explained that Gage renders obvious the claims of the '345 patent. I stand by my opinions in that declaration. In the POR, SitNet argues that Gage does not render the claims obvious based on its proposed constructions of “situational network” and “situation authority,” but Gage also teaches these concepts even if SitNet’s construction is adopted.

23. At the outset, if the Board does not accept SitNet’s constructions and additional limitations, Gage teaches the claimed “situational network” and “situation authority” for the reasons provided in my previous declaration. EX1003, ¶¶79-90, 104.

24. As I previously explained, Gage’s disaster response system connects with various participant that are geographically proximate to a disaster to form a *situational network*, as claimed. See EX1003, ¶¶79-90. Gage states that upon determining that a “disaster has occurred,” and that one or more users are located proximate to the disaster, the disaster recovery system establishes connections with the users’ mobile devices to “contact[]” the users by “request[ing] status indicators.” EX1005, ¶¶9-10, 36, 38, FIG. 3. As I previously explained, this occurs in a manner similar to the process described in the specification of the '345 patent. EX1003, ¶¶86-87.

25. Additionally, Gage’s disaster response system teaches the claimed

“situation authority” because the disaster response system “detect[s] an occurrence of a disaster affecting a region” (situation), receives and “aggregate[s]” information related to the disaster, and provides the information to various participants in the network, such as disaster relief agencies and rescue personnel. EX1005, ¶¶8-9, 21, 36, 45, Claim 15; EX1003, ¶104. This is consistent with the ’345 patent, which discloses that situation authorities are “generally [] able to aggregate and provide comprehensive information related to the situation” to “relief agencies” and “emergency responders.” EX1001, 4:16-20, 25:61-26:33.

26. Thus, Gage teaches a situational network and a situation authority under SitNet’s proposed constructions as well.

A. Gage’s description of dynamically forming ad hoc networks teaches a situational network under SitNet’s new construction

27. To address SitNet’s new construction, even if SitNet’s construction of “situational network” that “excludes pre-established networks” is adopted, Gage would still teach this as well. As referenced in my previous declaration, Gage explains that “multiple communication/information transmission options” are established to enable subscribers to communicate with the disaster response system. EX1005, ¶25; EX1003, ¶64. For example, “ad hoc networks can be dynamically established (i.e., through BLUETOOTH functionality of mobile telephones) to enable subscribers 130-134 to convey status and location.” EX1005, ¶25. An ad hoc network that is dynamically established still teaches forming a

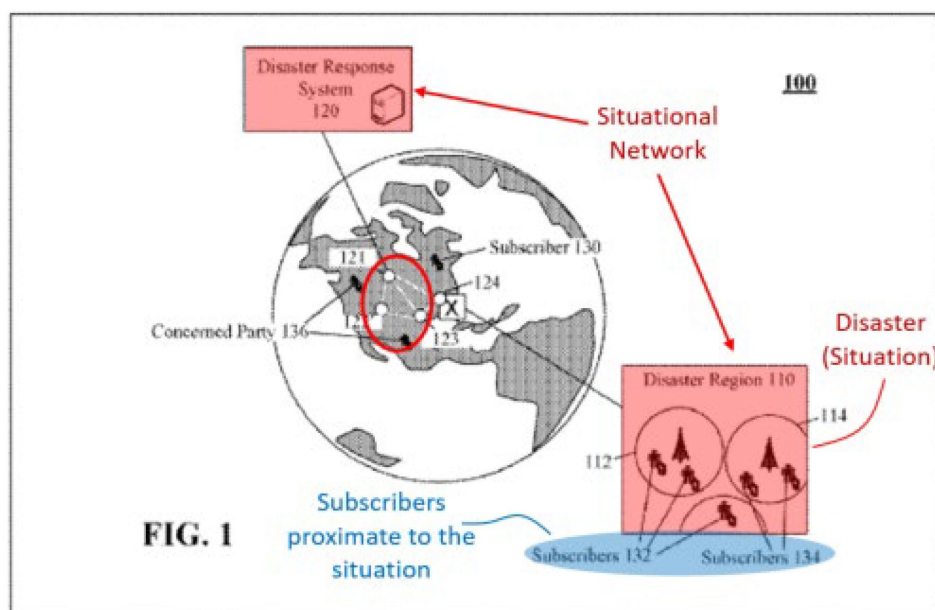
situational network even under SitNet’s proposed construction.

28. To the extent that the claim is construed to also require a “new connection to be established incorporating at least one new element” as SitNet proposes (POR, 4), Gage teaches this as well. As I previously explained, Gage describes the creation of ad hoc networks, which would have taught the creation of a new connection to enable users to convey status and location information. EX1005, ¶25. Additionally, as I explained in my previous declaration, Gage describes requesting status indicators from users who are geographically proximate to a disaster. EX1005, ¶9 (“When a subscriber is proximate to a disaster area, the subscriber’s device can be *queried for a status indicator* and for an optional user provided message.”) (emphasis added); EX1003, ¶88. To make this request for a status indicator, Gage’s disaster response system would have formed a new connection (for example, via one of the dynamically established ad hoc networks) with the mobile devices located near the disaster to obtain status indicators from them. EX1005, ¶¶9-10, 25, 36, 38, FIG. 3. In this manner, Gage also teaches establishing a new connection under SitNet’s interpretation of the claim.

B. Gage teaches a situation authority under SitNet’s new construction because Gage’s disaster response system is external to the disaster

29. As I previously explained, a POSA would not have interpreted the term “situation authority” as necessarily being an “external entity.” *See* Section II.B. But even if SitNet’s requirement of being an “external entity” were adopted,

Gage still teaches this because it is external to the disaster region. EX1005, ¶8; *also id.*, ¶¶22-23. Specifically, as I explained in a previous declaration, Gage’s disaster response system is external to the disaster region as seen from Figure 1 and therefore discloses an “external entity” capable of performing the functions recited in the claims. EX1005, ¶¶8, 22-23; EX1026, ¶19.



EX1005, FIG. 1 (annotated).

30. This is also consistent with the '345 patent and its description that a situation authority may be an external entity that is still included in a situational network. EX1001, 4:16-20. Gage's disaster response system is therefore an external entity consistent with the '345 patent because it is located external to the disaster region and forms the situational network.

31. If SitNet is arguing that the situation authority must be an

organization or entity that controls a situation authority server, Gage teaches this as well. EX1005, ¶¶2, 4-5, 11, 13, 21. Gage explains that its system can be facilitated by a “service agent” or implemented on a “machine manipulated by a service agent.” EX1005, ¶13. Specifically, Gage states that:

The method detailed herein can also be a method performed at least in part by a service agent and/or a machine manipulated by a service agent in response to a service request.

EX1005, ¶13.

32. This description is also provided in view of other services mentioned by Gage, such as “TextOK.com,” which is an example of another organization that was managing an emergency response system that gathered user responses to determine whether users experiencing a disaster were safe or “not in danger.”

EX1005, ¶¶4-5.

33. Based on Gage’s description of service agents operating Gage’s disaster response system and other organizations providing similar services, a POSA would have found it obvious for an organization or entity to use Gage’s disaster response system to perform the functionality that Gage describes (e.g., providing information to “friends and loved ones” or to “disaster relief workers/agencies” during disasters). EX1005, ¶¶4-5, 11, 21. A service agent could manipulate and/or administer Gage’s disaster response system, which would teach the claimed “situation authority” even under SitNet’s proposed construction.

IV. SHIDA RENDERS THE CLAIMS OBVIOUS EVEN UNDER SITNET'S PROPOSED CONSTRUCTIONS

34. In my previous declaration (EX1003), I explained that Shida renders obvious the claims of the '345 patent. I stand by my opinions in that declaration. In the POR, SitNet argues that Shida does not render the claims obvious based on its proposed constructions of “situational network” and “situation authority,” but Shida also teaches these concepts even if SitNet’s construction is adopted.

35. At the outset, if the Board does not accept SitNet’s constructions and additional limitations, Shida teaches the claimed “situational network” and “situation authority” for the reasons provided in my previous declaration. EX1003, ¶¶158-168, 178. As I previously explained, Shida’s center server forms a situational network related to the occurrence of the situation by establishing connections for communicating with “the subscribers . . . who should be informed of the occurred disaster.” EX1006, ¶46; EX1003, ¶¶159-160. The center server then “generates notice information” related to the disaster “and transmits it to the subscribers to be notified.” EX1006, ¶46. “The subscriber terminal of the designated subscriber receives the broadcast notice information from the mobile communication network system, and displays it on the display device.” EX1006, ¶46. The users of the subscriber terminals then input a “safety confirmation response,” which is transmitted to the center server via a “mobile communication network system.” EX1006, ¶50. This describes forming a situational network as

explained in my previous declaration. EX1003, ¶¶158-168.

36. Additionally, Shida's center server discloses a "situation authority." The center server is a situation authority because the center server determines "the occurrence of the disaster," stores "emergency measures information," and is "connected to an operator terminal [] provided in facilities such as fire stations and police stations, for instance, to plan and instruct measures against the disaster etc." EX1006, ¶¶6, 30, 38, 46; EX1003, ¶178. The center server also aggregates user safety confirmation responses by storing them in a disaster region subscriber table. The center server also provides the safety confirmation responses to an operator terminal (e.g., implemented in a fire station or police station). EX1006, ¶¶30, 51, 58. This is consistent with the '345 patent, which discloses that situation authorities are "generally [] able to aggregate and provide comprehensive information related to the situation" to "relief agencies" and "emergency responders." EX1001, 4:16-20, 25:61-26:25; EX1003, ¶178.

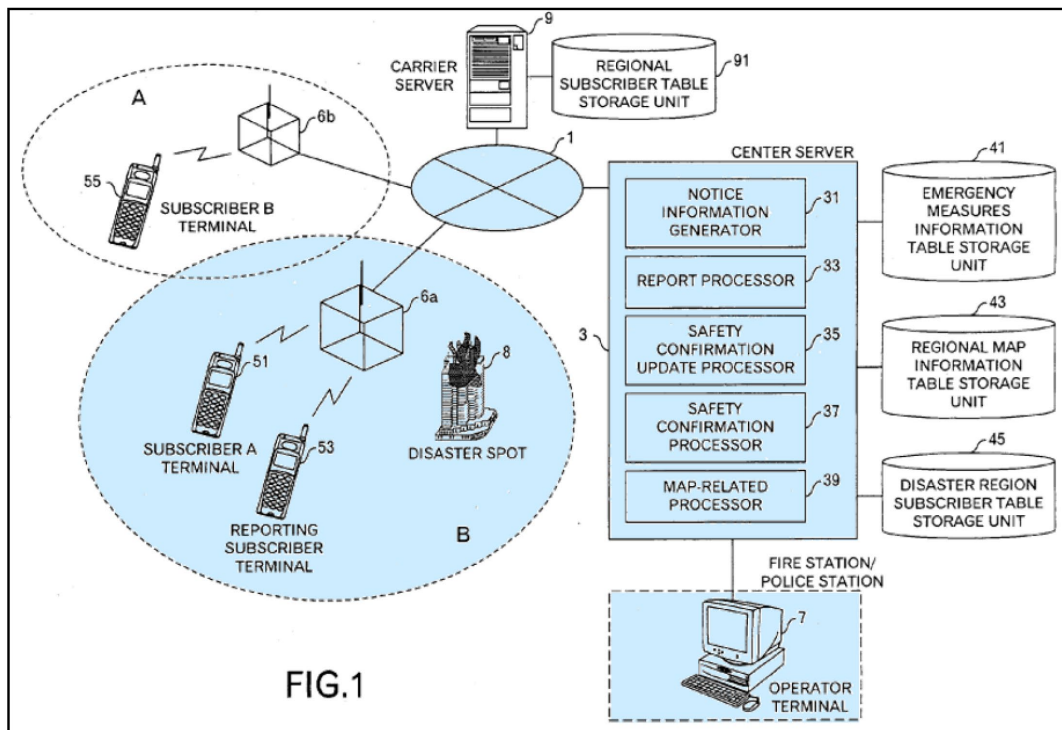
37. Thus, Shida teaches a situational network and a situation authority under SitNet's proposed constructions as well.

A. Shida's description of establishing connections with subscriber terminals in a disaster region teaches a situational network under SitNet's construction

38. As I explained in my previous declaration and as I explained above, Shida teaches the same formation of a situational network that is described in the

'345 patent. EX1003, ¶¶165. Even if SitNet's additional claim limitations are adopted, Shida would still teach the claimed "situational network."

39. For example, Shida describes establishing new connections between the center server and subscriber devices in a disaster occurring region when providing notice information and receiving safety confirmation responses. EX1006, ¶¶8, 39, 46-47, 56; EX1003, ¶¶159-166. For example, when communicating with the particular subscriber terminals affected in a disaster occurring region, Shida forms a new connection between the center server and subscriber terminals. EX1006, ¶¶46-47, 50. Figure 1 illustrates this connection:



EX1006, FIG. 1 (annotated).

40. For example, as Figure 1 depicts, in response to determining that a

disaster has occurred in Region B, the center server 3 establishes communications with the subscriber terminals located in Region B via network 1. EX1006, ¶¶27, 38, 46. These subscriber terminals are the ones proximate to the disaster spot as depicted in Figure 1. This is contrasted with subscriber terminals that are not in the same region (e.g., such as those in Region A as depicted in Figure 1). After discerning the appropriate subscriber terminals that are proximate to a disaster, the center server sends disaster notice information to those subscriber terminals that are identified as being affected (e.g., the ones in the “disaster occurring region”). EX1006, ¶¶46, 50. This therefore reflects new connections made with the specific subscribers located in the disaster occurring region. EX1006, ¶46.

41. To further demonstrate that Shida contemplates the formation of new connections, Shida also describes several ways for the center server to provide information and instructions to an affected subscriber terminal:

Incidentally, for example, a short message or e-mail is used for the transmission to the subscriber terminals of the subscribers to be notified from the center server 3 in this embodiment. Besides, *other methods of notifying information may be used*. For instance, the *center server 3 may call the subscriber terminals of the subscribers to be notified*, tell only the point, and prompt that person to access a predetermined web server, and the web server may provide the disaster notice information to be broadcast. Moreover, the center server 3 may notify the point of the occurred disaster and the link to the above-described web server in

the short message or E-mail, and *may have the subscribers shift to the web server from the link*. Furthermore, another method for directly notifying to each subscriber terminal may be adopted.

EX1006, ¶47 (emphasis added).

42. As seen from this description, Shida describes options for establishing new connections such as calling an affected subscriber terminal, prompting the user to access a particular web server (and facilitating that access), and/or shifting communications with a subscriber to the web server. EX1006, ¶47. In this manner, these techniques also describe new connections that are established with affected subscriber terminals. In response to receiving the notice information or the other communication instructions that I previously referenced, the user can input a “safety confirmation response.” EX1006, ¶50.

43. In this manner, rather than relying solely on pre-existing connections, Shida’s exchange of notice information and safety confirmation responses teaches establishing a new connection in response to the occurrence of a disaster. The new connection facilitates the exchange of notice information and a safety confirmation response with the specific recipients that are affected. Therefore, Shida teaches forming a situational network even under SitNet’s interpretation of the term.

44. I understand that SitNet has also argued that Shida does not teach forming a situational network because Shida does not teach “links between the participants in the situational network [that] are dynamically added or removed as

[a] situation or event changes its geographic location or as [a] user changes his position relative to the situation.” POR, 21. As I previously explained, these are also additional limitations that a POSA would not have considered as required by the claims. *See* Section II.A. Because these limitations do not appear in the claims, the Board should not interpret the claims so narrowly. *See* Section II.A.

Regardless, Shida still teaches forming a situational network even if these additional limitations are adopted.

45. For example, as I previously explained, Shida describes dynamically creating connections with subscriber terminals that are affected by a disaster and then communicating with those subscriber terminals. EX1006, ¶¶46-48, 50, 60. As seen from Figure 1, the establishment of these communications may occur via a base station, which may have been selected as the one providing the “highest reliability.” EX1006, FIG. 1, ¶28.

46. As explained with reference to Figure 1, when the disaster occurs, communications with center server 3 are established via base station 6a from the “mobile communication network system.” EX1006, ¶29. To determine the best base station to use for the communications, “the terminals carry out the wireless communication with two or more base stations, and the signal from the base station that receives the signal with the highest reliability may be finally adopted.” EX1006, ¶28. Shida further describes the tracking and movement of a user to

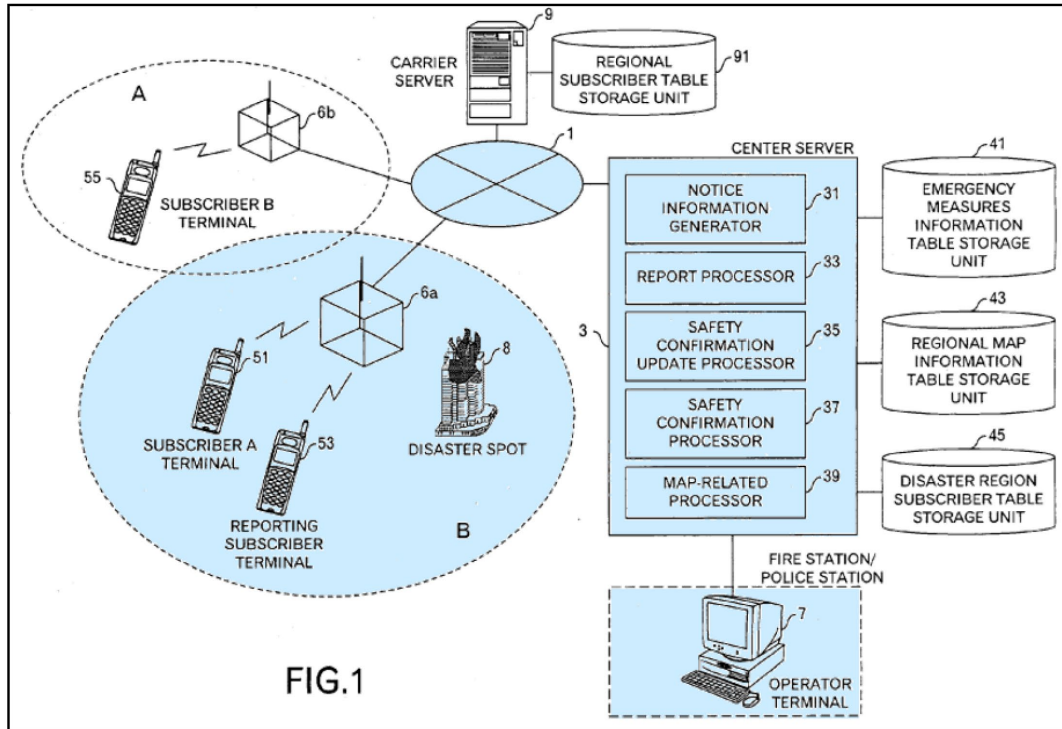
another base station's range after a disaster has occurred to determine the base station with the "highest reliability." EX1006, ¶¶28, 49, 53. In this manner, the determination of which base station to use or the particular path of base stations to use to facilitate communications also discloses the additional claim limitations suggested by SitNet (i.e., that "links . . . are dynamically added or removed as [a] situation or event changes its geographic location or as [a] user changes his position relative to the situation"). POR, 21.

47. In this manner, Shida's description of establishing communications between a center server and an affected subscriber terminal to (1) provide disaster notice information and (2) receive a safety confirmation response teaches the formation of a situational network even if SitNet's additional limitations and requirements are added to the claims. *See* Section II.A.

B. Shida teaches a situation authority under SitNet's new construction because Shida's center server is external to the disaster

48. As I previously explained, a POSA would not have interpreted the term "situation authority" as necessarily being an "external entity" that is external to a situational network. *See* Section II.B. But even if SitNet's requirement of being an "external entity" were adopted, Shida still teaches this because Shida's center server is external to the disaster region. EX1006, FIG. 1, ¶27. For example, as depicted in Figure 1, Shida's center server is *external* to disaster occurring regions, such as, for example, regions A and/or B. EX1006, FIG. 1. Shida's center

server therefore teaches an “external entity” capable of performing the functions described in the claims. EX1006, FIG. 1, ¶27.



EX1006, FIG. 1 (annotated).

49. If SitNet is arguing that the situation authority must be an organization or entity that controls a situation authority server, Shida teaches this as well. EX1006, ¶¶6-11, 27, 30. For example, Shida describes providing a “service” to cell phone users “(for instance, holders of the wireless transceivers such as cellular phones).” EX1006, ¶6. Shida also describes “judging whether the user of this service is in a safe state if information concerning the user of this service is received.” EX1006, ¶6. In view of Shida’s characterization as a “service,” a POSA would have recognized and found it obvious for an

administrator or organization to provide such a service to the users. *See* EX1006, ¶¶6-11.

50. In view of these disclosures, a POSA would have found it obvious for an organization or entity to use Shida’s center server to perform the functionality that Shida describes (e.g., providing information to an operator terminal located in “fire stations and police stations, for instance, to plan and instruct measures against the disaster”). EX1006, ¶30.

V. SHIDA DISCLOSES CLAIMS 6 AND 11

51. While I understand that SitNet has provided arguments against claims 6 and 11, these claims are still obvious for the reasons presented in my previous declaration. EX1003, ¶¶195-204. I note that SitNet does not appear to have addressed my explanation for why a POSA would have found it obvious to transmit the safety confirmation response and position information in the same message based on Shida’s disclosure. POR, 24; EX1003, ¶¶199-204. Otherwise, I maintain my opinions regarding why Shida renders claims 6 and 11 obvious. EX1003, ¶¶195-204.

VI. SHIDA AND SINHA RENDER CLAIMS 5 AND 16 OBVIOUS

52. While I understand that SitNet has provided arguments against claims 5 and 16, these claims are still obvious for the reasons presented in my previous declaration. EX1003, ¶¶227-229; *see also id.*, ¶¶213-226. I note that SitNet does

not appear to have addressed the combination of Shida and Sinha as described in my previous declaration, but has only separately discussed Sinha. POR, 24-25.

Otherwise, I maintain my opinions regarding why the combination of Shida and Sinha renders claims 5 and 16 obvious. EX1003, ¶¶227-229; *see also id.*, ¶¶213-226.

VII. CONCLUSION

53. In signing this declaration, I recognize that the declaration will be filed as evidence in an *inter partes* review before the Patent Trial and Appeal Board of the United States Patent and Trademark Office. I also recognize that I may be subject to cross-examination in the case and that cross-examination will take place within the United States. If cross-examination is required, I will appear for cross-examination within the United States during the time allotted.

54. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Executed on this 24th day of February 2025, in Bonaire, Kingdom of the Netherlands.


Jeremy Cooperstock, Ph.D.