UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

X CORPORATION

Petitioner,

v.

STERLING COMPUTERS CORPORATION

Patent Owner.

Case IPR2025-00299

U.S. Patent No. 7,716,217

SUPPLEMENTAL DECLARATION OF JUSTIN MARSTON

DECLARATION OF JUSTIN MARSTON

Justin Marston hereby Declares as follows:

1. As set forth in my initial declaration, I am one of the inventors of U.S. Patent No. 7,716,217 (the "'217 Patent"), along with my co-inventor Paul Marston.

2. The statements in my initial declaration (**EX2003**) were all based upon my personal knowledge from having personally worked on developing the inventions set forth in the '217 Patent.

3. The statements set forth below are all based upon my personal knowledge from having personally worked on developing the inventions set forth in the '217 Patent.

4. I am providing this Supplemental Declaration as a supplement to my initial declaration (**EX2003**) to provide additional information on my background and the documents cited in my initial declaration (**EX2004-EX2013**).

5. I first began researching the topic of information theory, which is related to my inventions in the '217 Patent, in the mid-1990s when I was in high school.

6. My high school physics project related to chaos theory and information theory. On January 25, 1996, the project was published in NATURE. **EX2016** ("Chaos in the Classroom").

7. At the 1996 European Contest for Young Scientists (which took place in Helsinki), I was awarded a prize for my research on "The dripping tap as a model chaotic system." **EX2017**, at 158-59.

8. From 1996-2000, I attended Durham University. In 2000, I received a Master in Science (MSci) degree in Chemistry from Durham University.

9. In July 2001, I founded a company called BlueSpace, which was a software development company.

10. By the time I created the document entitled "BlueSpace Mail Search" (**EX2004**), I had several years of experience working in software development (including over three years of experience working for BlueSpace), including in the areas of design/implementation of content management and analysis systems.

11. I worked at BlueSpace from July 2001 through December 2011. Therefore, I was working for BlueSpace at the time that each of the documents I attached to my declaration (**EX2004-EX2013**) were created, and I was working for BlueSpace when the provisional patent application was filed (and when U.S. Patent No. 7,716,217 issued).

12. **EX2004**, which I discussed in my initial declaration, is a true and correct copy of a document entitled "BlueSpace Mail Search." The document has a Create date of August 4, 2004, and a Last Modified date of September 2, 2004,

which is consistent with my recollection as to when the document was created and modified.

13. I have personal knowledge of **EX2004** because I was involved in creating the content set forth therein. I am listed as the Custodian of the document the metadata. **EX2004** (metadata slip sheet).

14. **EX2004** is a record that was created in the ordinary course of business of a company named BlueSpace, which, at the time, I worked for. This is reflected by the title of the document "**BlueSpace** Mail Search." **EX2004** (metadata).

15. **EX2004** was maintained in the ordinary course of BlueSpace's business. As custodian of the document, I maintained the document on my computer in my BlueSpace files.

16. **EX2005**, which I discussed in my initial declaration, is a true and correct copy of a document with a header titled "BlueSpace Mail Search" and a section heading titled "9.1 The Development of Mathematical Algorithms." The document has a Create date of September 20, 2004, and a Last Modified Date of May 12, 2005, which is consistent with my recollection as to when the document was created and modified.

17. As reflected in the metadata for **EX2005** – which lists the File Name as "Pauls Formula for Justins Business" – Paul Marston created the formulas set forth in **EX2005**.

18. I have personal knowledge of the contents of **EX2005** because, as reflected in the metadata for **EX2005** (reflecting that I am the Custodian of the document), Paul Marston shared the document with me.

19. **EX2005** is a record that was created in the ordinary course of business of a company named BlueSpace, which, at the time, I worked for. This is reflected by the File Name "… **for Justins Business**" (**EX2005**). My "business" at the time was BlueSpace.

20. **EX2005** was maintained in the ordinary course of BlueSpace's business. I maintained the document on my computer in my BlueSpace files.

21. **EX2006**, which I discussed in my initial declaration, is a true and correct copy of a document entitled "BlueSpace Mail Relevance." The document has a Create date of April 18, 2005, and a Last Modified date of June 7, 2005, which is consistent with my recollection as to when the document was created and modified.

22. I have personal knowledge of **EX2006** because I was involved in creating the content set forth therein. As reflected in the metadata for the document, I am the Custodian of the document. **EX2004** (metadata slip sheet).

23. **EX2006** is a record that was created in the ordinary course of business of a company named BlueSpace, which, at the time, I worked for. This is reflected by the title and File Name of the document, "**BlueSpace** Mail Relevance." **EX2006**.

24. **EX2006** was maintained in the ordinary course of BlueSpace's business. I maintained the document on my computer in my BlueSpace files.

25. **EX2007** is a true and correct copy of a document entitled "BlueSpace Mail Relevance." The document has a Create date and Last Modified Date of August 16, 2005, which is consistent with my recollection as to when the document was created and modified.

26. I have personal knowledge of **EX2007** because I was involved in creating the content set forth therein. As reflected in the metadata for the document, I am the Custodian of the document. **EX2004** (metadata).

27. **EX2007** is a record that was created in the ordinary course of business of a company named BlueSpace, which, at the time, I worked for. This is reflected

by the title and File Name of the document – i.e., "**BlueSpace** Mail Relevance." **EX2007**.

28. **EX2007** was maintained in the ordinary course of BlueSpace's business. I maintained the document on my computer in my BlueSpace files.

29. **EX2008** is a true and correct copy of a document entitled "BlueSpace Mail Relevance." The document has a Create and Last Modified date of August 17, 2005, which is consistent with my recollection as to when the document was created and modified.

30. I have personal knowledge of **EX2008** because I was involved in creating the content set forth therein. As reflected in the metadata for the document, I am the Custodian of the document. **EX2008** (metadata).

31. **EX2008** is a record that was created in the ordinary course of business of a company named BlueSpace, which, at the time, I worked for. This is reflected by the title and File Name of the document – i.e., "**BlueSpace** Mail Relevance." **EX2008**.

32. **EX2008** was maintained in the ordinary course of BlueSpace's business. I maintained the document on my computer in my BlueSpace files.

33. **EX2009** is a true and correct copy of a document entitled "1.1.1 Importance." The document has a Create and Last Modified date of September 18,

2004, which is consistent with my recollection as to when the document was created and modified.

34. I have personal knowledge of **EX2009** because I was involved in creating the content set forth therein. As reflected in the metadata for the document, I am the Custodian of the document. **EX2009** (metadata slip sheet).

35. **EX2009** is a record that was created in the ordinary course of business of a company named BlueSpace, which, at the time, I worked for. This is reflected by, for example, the discussions therein regarding TransMail, which was developed by BlueSpace. **EX2009**.

36. **EX2009** was maintained in the ordinary course of BlueSpace's business. I maintained the document on my computer in my BlueSpace files.

37. **EX2010** is a true and correct copy of a document entitled "BlueSpace Mail Relevance." The document has a Create date of October 3, 2005, and a Last Modified date of October 6, 2005, which is consistent with my recollection as to when the document was created and modified.

38. I have personal knowledge of **EX2010** because I was involved in creating the content set forth therein. As reflected in the metadata for the document, I am the Custodian of the document. **EX2010** (metadata).

39. **EX2010** is a record that was created in the ordinary course of business of a company named BlueSpace, which, at the time, I worked for. This is reflected by the title and File Name of the document – i.e., "**BlueSpace** Mail Relevance." **EX2010.**

40. **EX2010** was maintained in the ordinary course of BlueSpace's business. I maintained the document on my computer in my BlueSpace files.

41. **EX2011** is a true and correct copy of a document entitled "BlueSpace Mail Relevance." The document has a Create date of October 3, 2005, and a Last Modified Date of October 7, 2005, which is consistent with my recollection as to when the document was created and modified.

42. I have personal knowledge of **EX2011** because I was involved in creating the content set forth therein. As reflected in the metadata for the document, I am the Custodian of the document. **EX2011** (metadata slip sheet).

43. **EX2011** is a record that was created in the ordinary course of business of a company named BlueSpace, which, at the time, I worked for. This is reflected by the title and File Name of the document – i.e., "**BlueSpace** Mail Relevance." **EX2011**.

44. **EX2011** was maintained in the ordinary course of BlueSpace's business. I maintained the document on my computer in my BlueSpace files.

45. **EX2012** is a true and correct copy of a document entitled "BlueSpace Mail Relevance." The document has a Create and Last Modified date of October 7, 2005, which is consistent with my recollection as to when the document was created and modified.

46. I have personal knowledge of **EX2012** because I was involved in creating the content set forth therein. As reflected in the metadata for the document, I am the Custodian of the document. **EX2012** (metadata).

47. **EX2012** is a record that was created in the ordinary course of business of a company named BlueSpace, which, at the time, I worked for. This is reflected by the title and File Name of the document – i.e., "**BlueSpace** Mail Relevance." **EX2012**.

48. **EX2012** was maintained in the ordinary course of BlueSpace's business. I maintained the document on my computer in my BlueSpace files.

49. **EX2013** is a true and correct copy of an untitled document relating to calculating cognate relevance values. The metadata for the document reflects a Create and Last Modified date of November 9, 2005, which is consistent with my recollection as to when the document was created and modified.

50. I have personal knowledge of **EX2013** because I was involved in creating the content set forth therein. As reflected in the metadata for the document, I am the Custodian of the document. **EX2013** (metadata).

51. **EX2013** is a record that was created in the ordinary course of business of a company named BlueSpace, which, at the time, I worked for. This is reflected by, for example, the discussions therein regarding TransMail, which was developed by BlueSpace. **EX2013**.

52. **EX2013** was maintained in the ordinary course of BlueSpace's business. I maintained the document on my computer in my BlueSpace files.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 8th day of July 2025, in Travis County, Texas.

Justin Marston

Justin Marston