

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

STRATEGY INC.
Petitioner,

v.

WEB3AI TECHNOLOGIES, LLC,
Patent Owner.

IPR2026-00223
U.S. Patent No. 9,218,574

DECLARATION OF JONATHAN SKOVHOLT

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I, Jonathan Skovholt, declare as follows:

I. INTRODUCTION

A. Engagement

1. I am currently the Vice President of Search Operations at Ensemble IP LLC (“Ensemble IP”).
2. Ensemble IP has been retained to provide analysis regarding U.S. Patent No. 9,218,574 (“the ’574 Patent”). I understand that this patent is subject to an *inter partes* review (IPR).
3. Ensemble IP is being compensated for my time in developing and rendering my opinions in this matter at the normal consulting rate for myself and our professional searching staff plus actual expenses. Neither I nor Ensemble IP has any financial interest in the outcome of any proceeding related to the ’574 Patent. Ensemble IP’s compensation is not dependent upon the opinions that I am providing in this declaration or the results of this or any other proceeding relating to those patents. The compensation Ensemble IP has received for this work has not influenced my opinion at all.
4. I have personal knowledge of the facts stated in this declaration and could competently testify to them if asked to do so. My analyses are based on my years of education, research, and work experience, as well as my investigation and study of relevant materials.
5. I reserve the right to amend or supplement this declaration, as appropriate, based on new information and on my continuing review of the materials already provided. If additional relevant information becomes available to me, I also reserve

the right to review and consider that information in further developing, rendering, or refining my opinions.

B. Summary of Opinions

6. It is my understanding that the '574 Patent has been cited significantly more than average as compared to U.S. patents as a whole as well as patent families of similar age and technology classification.

II. BACKGROUND

A. Personal Background and Qualifications

7. A copy of my latest *curriculum vitae* (CV) is submitted with this declaration as an attachment, which includes my educational background, work history, and a listing of my publications and presentations. The following paragraphs briefly summarize my relevant expertise.

8. I have served as the Vice President of Search Operations at Ensemble IP since November 2019. I manage a team of about 15 patent analysts performing prior art searches for inventors, companies, and law firms.

9. I received a B.A. in Physics from Gustavus Adolphus College in 2001 and a M.S. in Physics from the University of Delaware in 2005. While studying for my Master's degree, I worked as a teaching assistant.

10. After completing my Master's degree, I worked for several years at the U.S. Patent and Trademark Office as a patent examiner. I independently analyzed approximately 200 patent applications to determine patentability, granting over 50 patents in complex technological areas, such as optical measuring and testing.

11. I worked at CPA Global (formerly Landon IP, Inc.) for 10 years, first as a patent analyst during 2008-2012 and then as Director of Training and Information Services during 2012-2018.

12. As a patent analyst, I have used numerous search tools, conducted technical research to support legal opinions, prepared analyses for private companies, law firms, and independent inventors. While working as a patent analyst, I co-led electrical engineering and physical sciences teams.

13. As the Director of Training and Information Services, I managed a four-member team in developing, delivering, and maintaining internal technical training programs, including instruction on tool usage, strategy creation, and legal interpretation. I also designed and delivered training for 350 employees worldwide, combining face-to-face, virtual, e-learning, and inverted teaching methods to meet the needs of all students. Additionally, I led the reference desk group, which provided employees with information related to search strategies, system use, global laws, and issue troubleshooting.

14. In addition to my work conducting and managing patent searching, I taught a three-day workshop on patent searching for the Patent Resources Group, Inc. during April 2011-March 2019. I developed the course and served as the lead instructor for the course. In this role, I taught lawyers, patent agents, paralegals, patent searchers, and researchers in the United States, Brazil, United Kingdom, and Germany.

15. From 2018-2021, I have also served as an adjunct professor at The National Institutes of Health, Foundation for the Advanced Education in the Sciences. I instructed graduate students including scientists and medical students, on patent research.

16. Some of my recent presentations include the following:

- (1) Leveraging AI to Ensure Comprehensive and Cost-Effective Patent Searches [presentation], PIUG, 2024.
- (2) Are We There Yet? Impacts of AI for Patent Searching & Analytics [panel discussion], IPO, 2024.
- (3) When AI Fails: Effective use of AI in Patent Search Systems [presentation], PIUG, 2024.
- (4) Avoid the Traps: Know When to Seek a Professional Patent Searcher [presentation], IPO, 2023.
- (5) AI: Will it help or hurt? [panel discussion], PIUG, 2023.
- (6) AI and Machine Learning in Patent Search Systems: Friend or Foe? [presentation], PIUG, 2020.

17. I have also authored publications, including the following:

- (1) Traps for the Unwary in Searching Patents: When to Consider Using a Professional Patent Searcher [white paper], IPO, 2023.
- (2) The Coming Revolution in Professional Patent Searching [white paper], Ensemble IP, 2021.

18. I have been a member of various professional organizations, including Intellectual Property Owners (IPO), specifically its Patent Search Committee; and Patent Information User Group (PIUG).

19. Based on my training and experience, I am an expert in the field of prior art searching.

B. Ensemble IP

20. The team of experienced searchers at Ensemble IP is made up of patent search professionals with relevant technical and patent-law experience. Each patent search professional has a relevant technical degree in their area of specialty and a minimum of three years of relevant patent search experience. Relevant experience includes being a patent examiner, practicing as a patent agent or patent attorney, or direct patent searching experience in a corporation, law firm, or professional search firm. Senior patent analysts have at least 10 years of relevant patent search experience. The owners and leaders of the Ensemble IP Search team have between 15 and 25 years of direct experience in leading and managing professional patent search firms. All patent search professionals at Ensemble IP must be able to meet the requirements to sit for the USPTO Patent Practitioner Registration Examination.

21. Ensemble IP subscribes to professional patent search tools and non-patent literature databases to ensure comprehensive access to relevant patent and non-patent information.

- (a) The patent search tools used provide a comprehensive patent search of over 75 patenting authorities and over 180 million documents. These paid databases include Questel-Orbit and Quartet.
- (b) The non-patent literature search tools include both paid subscription databases and open-access database. The relevant databases for a given patent search are determined by the technology of the search and the particular needs of the search. Ensemble IP relies upon its expertise to recommend the appropriate databases for a given search project. At a minimum, each search project includes a review of the PCT Minimum

Documentation listed in Rule 34.1(b)(iii) of the Patent Cooperation Treaty. The most common databases include the following:

- i. Abstracts in New Technology & Engineering (ANTE)
- ii. ACM Digital Library
- iii. ACS Publications
- iv. AGRICOLA
- v. BIOSIS Previews
- vi. Biotechnology Research Abstracts
- vii. CAB Abstracts
- viii. Chemical Engineering & Biotechnology Abstracts (CEBA)
- ix. Computer and Information Systems Abstracts
- x. Ei Compendex
- xi. EMBASE
- xii. Gale Group Trade & Industry Database
- xiii. GenomeQuest
- xiv. IEEE Xplore
- xv. Inspec
- xvi. IP.com Prior Art Database

- xvii. ProQuest Dissertations & Theses Professional
- xviii. Mechanical & Transportation Engineering Abstract
- xix. ManualsLib - The Ultimate Manuals Library
- xx. NTIS: National Technical Information Service
- xxi. ProQuest Dissertations & Theses Professional
- xxii. PubMed
- xxiii. ScienceDirect
- xxiv. Springer Link
- xxv. Scientific & Technical Information Network (STN)

III. ANALYSIS AND OPINIONS

A. Forward Citations of the '574 Patent

22. It was reported by Joseph Hawkins of Laurence & Phillips IP Law that a search using the public tools available from the USPTO indicated that the forward citation count of the '574 Patent for U.S. patents was 210 as of March 26, 2026 (with self-citations omitted). *See* Web3AI Ex. 2006. In addition, I performed a global search for forward citations of the '574 Patent in the Questel-Orbit database. My search returned a global forward citation count of 289 for the '574 Patent. This search further indicated that the '574 Patent was cited in substantive rejections 17 times.

23. Based on my understanding of forward citation analysis, the '574 Patent has been cited significantly more frequently than other U.S. patents as a whole as well as patent families of similar age and technology classification.

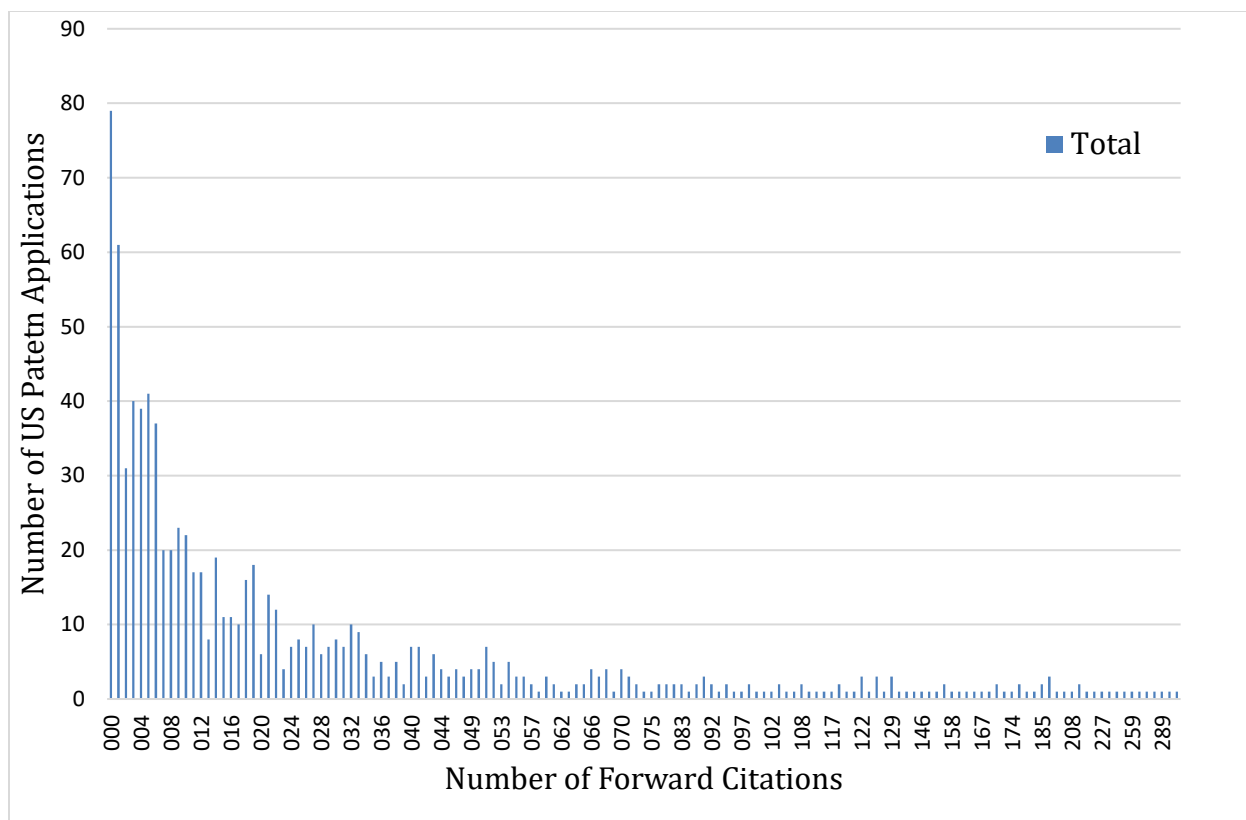
B. Forward Citation Analysis

24. In support of this opinion, I note that, “academic studies generally agree that the mean number of forward citations is relatively small, at 13, while the median number of forward citations is zero.” *See* Web3AI Ex. 2007.

25. By way of further support and illustration, I compared the global forward citation count of the '574 Patent to a dataset comprising patent families similar to the '574 Patent with respect to priority date and technology classification (the “Comparison Dataset”), in which:

- Publications are grouped by domestic family, *i.e.* grouped by application (the granted patent and the published patent application are a single-family entity) with one row per domestic family.
- The earliest priority date of the families included in the Comparison Dataset is within the year 2013 (from January 1, 2013, to December 31, 2013).
- Families included in the Comparison Dataset are classified in IPC code G06N 20/00.
- Families included in the Comparison Dataset include U.S. publications (*i.e.* a U.S. granted patent and/or U.S. published patent application)

26. The resulting Comparison Dataset included 882 domestic families. The following graph illustrates the distribution of global forward citation count across the 882 families of the Comparison Dataset:



Domestic families (*i.e.* grouped by application) with earliest priority in 2013 and classified in IPC G06N20/00

27. As illustrated above, most of the families included in the Comparison Dataset have zero (0) forward citations. The average number of global forward citations across the Comparison Dataset is 22, which is significantly lower than the 289 global citations of the '574 Patent.

IV. CERTIFICATION

28. In signing this declaration, I recognize that this declaration will be filed in support of the Patent Owner at the U.S. Patent and Trademark Office in IPR2026-00223.

29. I 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 the Title 18 of the United States Code. I further acknowledge that willful false statements in this declaration may jeopardize the validity or enforceability of U.S. Patent No. 9,218,574.

30. I acknowledge that I may be subject to cross-examination in the United States as part of this *inter partes* review. If cross-examination is required of me, I will make myself reasonably available for cross-examination within the United States during the time allotted for cross-examination.

Dated: March 27, 2026

Respectfully submitted,


Jonathan Skovholt