

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GODBERSEN-SMITH CONSTRUCTION COMPANY
d/b/a/ GOMACO CORPORATION
Petitioner

v.

GUNTERT & ZIMMERMAN CONST. DIV., INC.,
Patent Owner

Patent No. 10,196,101

Declaration of Kelley M. Hayes Greenhill

I. Introduction

1. I have prepared this Declaration in connection with the Petition for *Inter Partes* Review of U.S. Patent No. 10,196,101 (Petition), which I understand will be filed concurrently with this Declaration.

2. I am currently the Manager of the Research & Information Services team at Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, located at 901 New York Avenue, NW, Washington, DC 20001-4413.

3. I am over eighteen years of age, and I am competent to make this Declaration. I make this Declaration based on my own personal knowledge, and based on my knowledge of library science practices.

4. I earned a Master of Science in Library Science from the Catholic University of America in 1995, and a Bachelor of Arts in Political Science from Duquesne University in 1989. I have worked as a librarian for over twenty-five years. I have been employed in the Research & Information Services Department at Finnegan Henderson since 2019. Before that, from 1995-2015, I was employed in the Library Department of Sterne Kessler Goldstein & Fox. And from 2015-2019, I was employed in the Knowledge and Research Service Group (formerly, Information Research Service) at Northrop Grumman Corporation.

5. I am a member of the American Association of Law Libraries and a member of the Law Librarians' Society of Washington, DC.

II. Standard Library Practice for Receiving, Cataloging, and Shelving Materials

6. I have knowledge of and experience with standard library practices regarding the receipt, cataloging, and shelving of materials. I have knowledge of and experience with the Machine-Readable Cataloging (MARC) system libraries use to catalog materials.

7. Based on standard library practice, when a library receives an item, it stamps the item with the library name and often with a date within a few days or weeks of receipt. The library will catalog the item within a few days or weeks of receiving it.

8. By the mid-1970s, standard library practice involved cataloging items using the MARC system. The MARC system was developed during the 1960s to standardize bibliographic records so they could be read by computers and shared among libraries. By the mid-1970s, MARC had become the international standard for bibliographic data. And it is still used today.

9. After an item is cataloged, the public may access the item by searching the catalog and requesting the item from the library. Standard library practice is to then shelve the item within a few days or weeks of cataloging it.

10. Given the matter of a few days or weeks between receiving an item and cataloging it, and the matter of a few days or weeks between cataloging an item and shelving it, the total time between receiving an item and shelving it is usually a matter of a couple of weeks or months.

III. MARC Records

11. Many libraries provide public access to their MARC records via the Internet and/or their electronic cataloging system at the library. In a MARC record, each field provides information about the cataloged item. MARC uses a simple three-digit numeric code (from 001-999) to identify each field in the record. For example, field 245 identifies the title of the work. Field 250 identifies the edition number. Field 260 identifies publisher information. Field 020 identifies the International Standard Book Number (ISBN) for a book. And field 008 provides the date that the item was cataloged. The first six characters of field 008 are always in the “YYMMDD” format.

IV. MARC Records for *Craig*

12. Exhibit 1022 to the concurrently filed Petition is a true and correct copy of excerpts from “Introduction to Robotics: Mechanics and Control,” by John J Craig (*Craig*). Finnegan Henderson’s Research & Information Services Department obtained a copy of *Craig* from an online book seller.

13. Exhibit 1025 includes a true and accurate copy of the MARC record from the Library of Congress for its copy of *Craig*, downloaded from

<https://lccn.loc.gov/2004275113/marcxml> on November 9, 2020. (Ex. 1025 at 1-

2.)

14. This MARC record matches the physical copy of the book at least through the field 020 listing the ISBN of 0-201-54361-3, which is the same ISBN number found in the book (Ex. 1022 at 3), and field 250 indicates the 3rd edition, which is the same edition as *Craig* (Ex. 1022 at 1, 2, 3). In this MARC record, the date field 008 lists the first six characters “041110” in typical “YYMMDD” format, indicating that *Craig* was first cataloged by the Library of Congress on November 10, 2004.

15. Exhibit 1026 also includes a true and accurate copy of the MARC record from the Library of the University of Wisconsin - Madison for its copy of *Craig*, downloaded from <https://search.library.wisc.edu/catalog/9910980844202121> on November 9, 2020. (Ex. 1026 at 2-4.)

16. This MARC record matches the physical copy of the book at least through the field 020 listing the ISBN of 0-201-54361-3, which is the same ISBN number found in the book (Ex. 1022 at 3), and field 250 indicates the 3rd edition, which is the same edition as *Craig* (Ex. 1022 at 1, 2, 3). In this MARC record, the date field 008 lists the first six characters “041110” in typical “YYMMDD” format, indicating that *Craig* was first cataloged by the

Ex. 1026 indicates that a physical copy of *Craig* is held within the University of Wisconsin – Madison library system at the University of Wisconsin Platteville site.

V. Conclusion

17. In signing this Declaration, I understand it will be filed as evidence in a contested case before the Patent Trial and Appeal Board of the United States Patent and Trademark Office. I understand I may be subject to cross-examination in this case and that cross-examination will take place within the United States. If cross-examination is required of me, I will appear for cross-examination within the United States during the time allotted for cross-examination.

18. I declare that all statements made herein of my knowledge are true, that all statements made on information and belief are believed to be true, and 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.

Declaration of Kelley M. Hayes Greenhill

U.S. Patent No. 10,196,101

Executed on November 23, 2020, in Washington, DC.

A handwritten signature in blue ink, appearing to read 'KMG', is written over a horizontal line.

Kelley M. Hayes Greenhill