

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VMware, Inc.

Petitioner,

v.

Cirba IP Inc.

Patent Owner.

Case PGR2021-00098
U.S. Patent 10,951,459

**PATENT OWNER'S SUPPLEMENTAL EVIDENCE RESPONDING TO
PETITIONER'S OBJECTIONS**

I, Philip Eklem, declare as follows:

1. I am an attorney at Reichman Jorgensen Lehman & Feldberg LLP, counsel for Patent Owner Cirba IP, Inc. (“Cirba IP”) in connection with VMware v. Cirba IP Inc., PGR2021-00098 (“this Proceeding”). I make this declaration of my own personal knowledge, and if compelled to testify, I could and would competently testify thereto.

2. I submit this declaration under 37 CFR § 42.64 in response to Petitioner’s Objections to Evidence Submitted with Patent Owner’s Response (Paper 16).

3. Exhibit 2007, filed with Patent Owner’s Response, is a true and correct copy of a printout of the website page at <https://www.merriam-webster.com/dictionary/place>, accessed on March 2, 2022.

4. Exhibit 2008, filed with Patent Owner’s Response, is a true and correct photocopy of Exhibit B-10 (“place” The Merriam-Webster Dictionary (2004)) to the Joint Appendix in Support of Joint Claim Construction Brief filed in *Cirba Inc. (d/b/a Densify) and Cirba IP, Inc. v. VMware, Inc.*, C.A. No. 1:19-cv-00742-LPS, Dkt. No. 1095 at Exhibit B-10 (D. Del. November 22, 2021).

5. Exhibit 2007, filed with Patent Owner’s Response, is a true and correct photocopy of Exhibit B-11 (“place” Roget’s II The New Thesaurus (3d ed. 2003)) to the Joint Appendix in Support of Joint Claim Construction Brief filed in *Cirba Inc. (d/b/a Densify) and Cirba IP, Inc. v. VMware, Inc.*, C.A. No. 1:19-cv-00742-

LPS, Dkt. No. 1095 at Exhibit B-11 (D. Del. November 22, 2021), which was filed as Exhibit 2009 in this Proceeding.

6. I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 25th day of March 2022, in Oakland, CA.

Dated: March 25, 2022

By: /Philip J. Eklem/
Philip J. Eklem
Reg. No. 76,490
Counsel for Patent Owner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **PATENT OWNER'S SUPPLEMENTAL EVIDENCE RESPONDING TO PETITIONER'S OBJECTIONS** was served on March 25, 2022, via electronic mail to VMware-Cirba-IPR@mofo.com, as agreed to by counsel, upon the following counsel for Patent Owner:

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