

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

LEADER TECHNOLOGIES, INC.,)	
a Delaware corporation,)	
)	
Plaintiff-Counterdefendant,)	Civil Action No. 08-862-LPS
)	
v.)	
)	
FACEBOOK, INC.,)	
a Delaware corporation,)	
)	
Defendant-Counterclaimant.)	

**DECLARATION OF JAMES HERBSLEB IN SUPPORT OF PLAINTIFF LEADER
TECHNOLOGIES, INC.'S OPPOSITION TO DEFENDANT FACEBOOK, INC.'S
MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF CLAIMS 1, 4, 7, 21, 23,
25, 31 AND 32 OF U.S. PATENT NO. 7,139,761**

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Leader Technologies, Inc.*

Dated: September 20, 2010

I, James Herbsleb, hereby declare:

1. I am a Professor of Computer Science and Director of the Software Industry Center at Carnegie Mellon University. In 1991, I received a M.S. in Computer Science from the University of Michigan. I also have a Ph.D. in Cognitive Social Psychology (1984) and J.D. (1980) from the University of Nebraska. I have been hired by Plaintiff Leader Technologies, Inc. ("Leader"). I have personal knowledge of the facts set forth in this declaration and can testify competently to those facts.

2. I performed an in-depth analysis of U.S. Patent No.7,139,761 (the "'761 Patent") and evaluated the claims based on the understanding of a person of ordinary skill in the art. I consider one of ordinary skill in the art to be someone with a bachelor's degree or the equivalent in computer science and/or several years of experience in the computer industry.

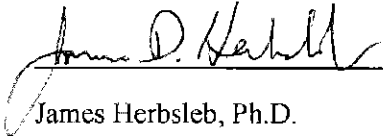
3. I carefully reviewed the entire '761 Patent, including the written specification, figures, and claims. Based on my review, I was able to determine that a person of ordinary skill in the art would be able to understand the scope and bounds of the claims of the '761 Patent.

4. A person of ordinary skill in the art would understand that "component" is a commonly used term, and a component is often described by the function it serves or the function it is capable of performing.

5. A person of ordinary skill in the art would also understand that "computer-executable instructions" is commonly used and computer-executable instructions are often described by the function or operation they perform.

6. Furthermore, when I teach class and use terms like "component" and "module" I will often describe them in functional language, describing them by what they do. Describing components or modules by what they do is a common way of describing them. Computer scientists often describe component and modules in terms of functional language.

I declare under penalty of perjury under the laws of the State of California and the United States that the foregoing is true and correct. Executed Monday, September 20, 2010, at Pittsburg, PA.


James Herbsleb, Ph.D.

**IN THE UNITED STATES DISTRICT COURT
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CERTIFICATE OF SERVICE

I, Philip A. Rovner, hereby certify that on September 20, 2010, the within document was filed with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following; that the document was served on the following counsel as indicated; and that the document is available for viewing and downloading from CM/ECF.

BY CM-ECF AND E-MAIL

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I hereby certify that on September 20, 2010 I have sent by E-mail the foregoing document to the following non-registered participants:

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