

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

MOBILEMEDIA IDEAS, LLC,

Plaintiff,

v.

APPLE INC.,

Defendant.

Civil Action No. 10-258-SLR-MPT



PUBLIC - REDACTED VERSION

**DECLARATION OF LUANN L. SIMMONS IN SUPPORT OF
OPENING BRIEF IN SUPPORT OF APPLE INC.'S MOTION FOR
SUMMARY JUDGMENT OF INVALIDITY AND NON-INFRINGEMENT
OF U.S. PATENT NO. RE 39,231**

Richard K. Herrmann (# 405)
Mary B. Matterer (# 2696)
500 Delaware Avenue, Suite 1500
Wilmington, Delaware 19801-1494
(302) 888-6800
rherrmann@morrisjames.com
mmatterer@morrisjames.com

O'MELVENY & MYERS LLP
George A. Riley
Luann L. Simmons
Two Embarcadero Center, 28th Floor
San Francisco, CA 94111-3823
(415) 984-8700
griley@omm.com
lsimmons@omm.com

Attorneys for Defendant Apple Inc.

Dated: October 20, 2015

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

MOBILEMEDIA IDEAS LLC,

Plaintiff,

v.

APPLE INC.,

Defendant.

Civil Action No. 10-258-SLR



PUBLIC - REDACTED VERSION

**DECLARATION OF LUANN L. SIMMONS IN SUPPORT OF
OPENING BRIEF IN SUPPORT OF APPLE INC.'S MOTION FOR
SUMMARY JUDGMENT OF INVALIDITY AND NON-INFRINGEMENT
OF U.S. PATENT NO. RE 39,231**

I, Luann L. Simmons, declare:

1. I am an attorney with O'Melveny & Myers LLP, counsel of record for Defendant Apple Inc. ("Apple") in the above-captioned litigation. I submit this declaration in support of Apple's Opening Brief In Support Of Apple Inc.'s Motion For Summary Judgment Of Invalidity And Non-Infringement Of U.S. Patent No. RE 39,231. I have personal knowledge of the facts set forth in this declaration and, if called to testify as a witness, could and would do so competently.

2. Attached hereto are true and correct copies of the following documents:

Exhibit	Description
A	U.S. Patent No. RE 39,231
B	'231 Reexam Certificate

Exhibit	Description
C	Webster's Third New International Dictionary of the English Language Unabridged (1993) (excerpt); Webster's New World College Dictionary, 4th Ed (2004) (excerpt); Cambridge International Dictionary of English (1995) (excerpt); Webster's II New College Dictionary (2001) (excerpt)
D	Expert Report of Dr. Ravin Balakrishnan on Invalidity (Jan. 13, 2012) (excerpt)
E	Expert Report of Dr. Ravin Balakrishnan on Non-Infringement (Mar. 5, 2012) (excerpt)
F	Claim Construction Hearing Transcript (July 27, 2012) (excerpt)
G	Sigurd Meldal Deposition Transcript (April 23, 2012) (excerpts)
H	First Expert Report of Dr. Sigurd Meldal (Jan. 13, 2012) (excerpts)

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on this 20th day of October, 2015 at San Francisco, California.

/s/ Luann L. Simmons
Luann L. Simmons

EXHIBIT A

DECLARATION OF LUANN L. SIMMONS IN SUPPORT OF
OPENING BRIEF IN SUPPORT OF APPLE INC.'S MOTION FOR
SUMMARY JUDGMENT OF INVALIDITY AND NON-INFRINGEMENT
OF U.S. PATENT NO. RE 39,231

Civil Action No. 10-258-SLR



US00RE39231E

(19) **United States**
 (12) **Reissued Patent**
Yasuda et al.

(10) **Patent Number:** **US RE39,231 E**
 (45) **Date of Reissued Patent:** **Aug. 8, 2006**

(54) **COMMUNICATION TERMINAL
 EQUIPMENT AND CALL INCOMING
 CONTROL METHOD**

(75) Inventors: **Hiroshi Yasuda**, Kanagawa (JP);
Morihiko Hayashi, Kanagawa (JP);
Michihiro Kaneko, Tokyo (JP);
Michihito Nakagawa, Kanagawa (JP)

(73) Assignee: **Sony Corporation**, Tokyo (JP)

4,935,735 A	*	6/1990	DeLuca et al.	
5,233,641 A	*	8/1993	Maeda	455/567
5,276,729 A	*	1/1994	Higuchi et al.	455/403
5,329,577 A	*	7/1994	Norimatsu	
5,406,618 A	*	4/1995	Knuth et al.	455/412
5,442,814 A	*	8/1995	Seo	455/403
5,491,745 A	*	2/1996	Roeder	455/564
5,493,285 A	*	2/1996	Yoshizawa	340/825.44
5,625,683 A	*	4/1997	Nazanin et al.	379/355
5,651,052 A	*	7/1997	Serrano	455/567
5,657,372 A	*	8/1997	Ahlberg et al.	455/403

(21) Appl. No.: **09/998,426**

(22) Filed: **Nov. 30, 2001**

Related U.S. Patent Documents

Reissue of:

(64) Patent No.: **5,995,852**
 Issued: **Nov. 30, 1999**
 Appl. No.: **08/571,650**
 Filed: **Dec. 13, 1995**

(30) **Foreign Application Priority Data**

Dec. 19, 1994 (JP) P06-335016

(51) **Int. Cl.**
H04Q 7/20 (2006.01)
H04Q 7/32 (2006.01)
H04Q 7/38 (2006.01)

(52) **U.S. Cl.** **455/567**; 455/564; 455/550.1;
 455/403; 455/572; 455/575.1; 455/412.1;
 455/343.1; 379/418; 379/355.01; 379/373;
 379/373.01; 379/373.02; 340/7.58; 340/7.57;
 340/7.6

(58) **Field of Classification Search** 455/403,
 455/550.1, 567, 340, 355, 500, 517, 572,
 455/427.1, 73, 78, 79; 340/7.62, 7.58, 7.57,
 340/5.39

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

4,504,701 A * 3/1985 Lucchesi

FOREIGN PATENT DOCUMENTS

EP	0275193	*	7/1988
EP	0408027	*	1/1991
EP	0502617	*	9/1992
EP	0772334	*	5/1997
EP	0772334		7/1997
JP	0799534 A		4/1995
JP	0799534 A	*	4/1995
WO	WO 9413065		6/1994
WO	9413065	*	6/1994

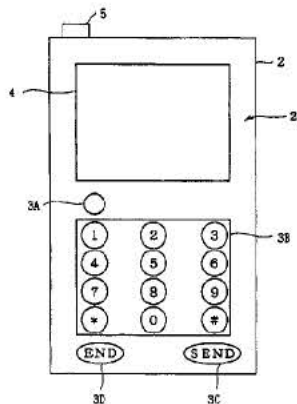
* cited by examiner

Primary Examiner—Keith Ferguson
 (74) *Attorney, Agent, or Firm*—Jay H. Maioli

(57) **ABSTRACT**

In a communication terminal equipment and in a method of controlling call incoming, unnecessary noises in a period from the start of an alert sound to carrying out of the next operation can be reduced. When a predetermined operation is effected under the condition that an alert sound is ringing, the alert sound is stopped or the volume of the alert sound is reduced at least over a duration of call incoming. Thus, such a fear that persons in the surroundings may be troubled by the continuous ringing of the alert sound can be remarkably reduced. Further, since the situation that a power supply is cut off forcibly during all origination can be avoided, the fear that a person on the call origination side may be given an unpleasant feeling can be eliminated.

23 Claims, 5 Drawing Sheets



Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.