

the CPU, memory, and applications provided by the Atrix smartphone. The Atrix Lapdock keyboard, touchpad, and other peripheral devices allow for manipulation and input to the software and hardware of the Atrix smartphone while the Atrix Lapdock screen and speakers provide the output. Additionally, the Atrix smartphone's screen goes dark and is no longer producing an output to the user and is not capable of receiving user input through the touch screen interface.

10. Working with electrical engineers under my direct supervision, we disabled the touch screen on the Atrix smartphone by removing the battery and the smartphone housing, identifying and disconnecting the display connection, and replacing the housing and the battery. Once the touch screen was disabled, the screen of the Atrix smartphone went black and lacked any ability to receive input or provide output via the touch screen, its former touch keyboard, microphone, speakers, or buttons.

11. Then, with the Atrix smartphone's touch screen disabled, we docked the Atrix smartphone with the Atrix Lapdock in accordance with the directions provided with the Atrix Lapdock. Once docked to the Atrix Lapdock, the Atrix Lapdock, which previously had been a non-functioning shell, then functioned to provide direct user interaction with the Atrix smartphone's hardware and software through manipulation of the keys on the Atrix Lapdock's keyboard, mouse, screen, microphone, and speakers. All the while, the disabled screen of the Atrix smartphone itself remained black and accordingly continued to lack input and output means. Thus, the Atrix Lapdock is capable of working with an Atrix smartphone that has its input and output means disabled such that the input and output means of the Atrix smartphone are not available either when connected or not connected to the Atrix Lapdock.

12. In addition, according to Motorola, eleven Motorola smartphones include an integrated Linux-based “Webtop App” and are designed to be used with one or more Motorola Lapdocks. *See* Declaration of McCabe, Exhibit D at ¶ 7. The Webtop App is a secondary operating system that is initiated upon connecting the smartphone to a Lapdock. *Id.* at ¶¶ 5-6. Prior to connecting to a Lapdock, the smartphones operating as standalone devices operate using the “Android” operating system (O/S), while the Webtop App is not available. *See id.* (“The webtop application is always present on the device but is only available when you insert the device into a dock with a dedicated display (such as the lapdock.)”). For example, Motorola’s Atrix 4G and DROID BIONIC smartphones each included versions of the Android O/S and both work with the Atrix Lapdock. *See* Exhibits E, F, and G. However, when these smartphones connected to a Motorola Lapdock with its display screen opened, the smartphones automatically cease to use the Android O/S and instead begin working as computers through the Webtop App. *See* Declaration of McCabe, Exhibit D at ¶¶ 5-6 (“Note that with the lapdock, the webtop application will launch automatically if the display is open.”). When the Webtop application is launched in a Lapdock, the smartphones go into sleep mode and do not display the mobile phone’s device’s applications or any additional applications unique to the Webtop, such as the Firefox® web-browser. *See, e.g.*, Exhibit C (phone is shown dark while Lapdock is operational). However, in Webtop mode, the software and applications on the smartphones are accessible via the input and output means provided with a Lapdock or high definition multi-media dock.

13. The foregoing technical descriptions of how Motorola’s Atrix and DROID BIONIC smartphones lack input and output means once docked to an Atrix Lapdock except through a Lapdock itself is supported by Motorola’s advertising and operating instructions.

Attached as Exhibit H is a page from Motorola's website describing "How to use the Lapdock 100." It states that, once docked, "[y]our phone will automatically go to Webtop mode and your phone will appear to go into sleep mode."

14. Further, in the Motorola advertisement for the Smartphone and Lapdock (Exhibit C), Motorola shows the Atrix 4G Smartphone screen as blank when docked to the operating Lapdock.

15. In the advertisement attached as Exhibit I, Motorola states that its Motorola Lapdock "only comes to life when you dock your Smartphone."

16. Based on my background and experience as an electrical engineer and familiarity with smartphones and their operating systems, the foregoing referenced sources, and the test I supervised as described in paragraphs 10 and 11, it appears as a matter of fact that Motorola's Lapdocks are configured to work with Motorola smartphones that have their input and output means disabled. It also appears as a matter of fact that the Motorola smartphones, whose input and output means are functional when unconnected to the Lapdock, lack input and output means once the smartphones are docked to the Lapdock.

17. Further, if not established as an irrefutable fact, for the foregoing reasons it is my opinion to a reasonable degree of scientific certainty that the Motorola Lapdocks are configured to work with Motorola smartphones that lack input/output means.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: January 17, 2012

By: /s/ Daniel Gallic
Daniel Gallic

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EXHIBIT A

Daniel Gallic, PP

44 Hillcrest Rd.
Warren, NJ 07059
908-507-0156
thegallics@yahoo.com

Education

BS in **Applied Materials Engineering**, Rutgers University, New Brunswick, NJ '90
Minor: **Electrical Engineering**
Licensed Professional Planner, New Jersey

Qualifications

CEO and Chairman of several LLC's and Incorporation's over the last 20 years
Full knowledge of manufacturing processes, analytics and efficiency tools
Deep, first hand knowledge, of software structures and architectures
In-depth understanding and experience in high tech products.
Experienced in marketing and leveraging unearned media.
Experienced in controlling multimillion dollar budgets.

Experience

Arnouse Digital Device, Corp, Delaware 2010 – present
Chief Operating Officer

Global Mobile Video, Inc. 2009 – present
Managing Partner, CEO

- Developed live streaming video resources to mobile devices.
- Created products for US Army under several R&D contracts.
- Managed groups of software engineer, architects and project managers.
- Created authenticated, encrypted live video streaming solutions for Android OS
- Created authenticated, encrypted live video streaming solutions for PC based computers.
- Integrated Video/Audio I/O boards to trans code on-the-fly video IP streams.
- Acquired several R&D contracts with CERDEC at CECOM, Fort Monmouth.

Solar Development Group, LLC, Hawthorne, New Jersey 2008 – 2009
Partner

- Responsible for new client acquisition.
- Analyzed the best possible solutions to reduce dependency on electrical needs of businesses.
- Created compelling data for solar investment for warehouses with large footprints.

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