

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BROADCOM CORPORATION
Petitioner

v.

TELEFONAKTIEBOLAGET LM ERICSSON (PUBL)
Patent Owner

Case IPR2013-00636
Patent 6,424,625

Title: Method and Apparatus For Discarding Packets In A Data Network Having
Automatic Repeat Request

**DECLARATION OF ROBERT AKL, D.Sc.,
IN SUPPORT OF PATENT OWNER'S RESPONSE**

Broadcom v. Ericsson
IPR2013-00636
Ericsson Ex. 2020

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**DECLARATION BY ROBERT AKL, D.Sc.,
IN SUPPORT OF PATENT OWNER'S RESPONSE**

I, Robert Akl, D.Sc., hereby declare, affirm, and state the following:

INTRODUCTION

1. The facts set forth below are known to me personally and I have firsthand knowledge of them. I am a U.S. citizen over eighteen years of age. I am fully competent to testify as to the matters addressed in this Declaration. I understand that this Declaration is being submitted along with Patent Owner's response to the March 10, 2014 institution of Inter Partes Review of US Patent No. 6,442,625 (hereinafter, "the '625 Patent") by the United States Patent and Trademark Office ("USPTO") in IPR No. 2013-00636.

2. I was asked to give my opinion on whether claim 1 of the '625 Patent is anticipated Garrabrant and Hettich and rendered obvious by Walke. As described further below, it is my opinion neither Garrabrant nor Hettich anticipates claim 1, nor does Walke render claim 1 obvious. In particular, each of the Garrabrant, Hettich, and Walke fail to teach or suggest (1) "commanding a receiver in the data network to a) receive at least one packet having a sequence number that is not consecutive with a sequence number of a previously received packet," (2) "commanding a receiver . . . to . . . release any expectation of receiving outstanding packets having sequence numbers prior to the at least one packet," and (3) "the

transmitter discarding all packets for which acknowledgement has not been received, and which have sequence numbers prior to the at least one packet” as recited by claim 1.

QUALIFICATIONS AND COMPENSATION

3. My resume, including my qualifications, a list of the publications that I have authored during my technical career, and a list of the cases in which, during the previous four years, I have testified as an expert at trial or by deposition, is attached to this declaration as Attachment A.

4. I have summarized in this section my educational background, career history, and other relevant qualifications. A true and accurate copy of my curriculum vitae is attached hereto as Attachment A.

5. I earned my Bachelor of Science degrees in Electrical Engineering and Computer Science summa cum laude with a ranking of first in my undergraduate class from Washington University in Saint Louis in 1994. In 1996 I earned my Master of Science degree in Electrical Engineering from Washington University in Saint Louis. I earned my Doctorate of Science in Electrical Engineering from Washington University in Saint Louis in 2000, with my dissertation on “Cell Design to Maximize Capacity in Cellular Code Division Multiple Access (CDMA) Networks.”

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