

Exhibit 1002

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ZTE Corporation and ZTE (USA) Inc.

Petitioners

v.

InterDigital Technology Corporation

Patent Owner

U.S. Patent No.: 8,380,244

Filed: November 9, 2009

Issued: February 19, 2013

Title: Dual Mode Unit for Short Range, High Rate and Long Range, Lower Rate
Data Communications

**DECLARATION OF DR. HARRY BIMS IN SUPPORT OF
THE PETITION FOR *INTER PARTES* REVIEW
OF U.S. PATENT NO. 8,380,244**

Case No.: IPR2014-00525

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I. INTRODUCTION

A. Identification of the 244 Patent and Scope of Opinions

1. My name is Harry Bims. I have been retained by ZTE Corporation and ZTE (USA), Inc. (collectively “ZTE”) to investigate and opine on certain issues relating to U.S. Patent No. 8,380,244 (“the 244 Patent”).

2. I understand that InterDigital Communications, LLC, InterDigital Technology Corporation, and IPR Licensing (collectively “InterDigital”) have Challenged Claims 1-8, 14-16, 19-29, 36-38, and 41-44 of the 244 Patent in an amended complaint the United States District Court of Delaware against ZTE (Case No. 13-0009-RGA). The amended complaint that first identified the 244 patent was filed on March 21, 2013. I will refer to this litigation as the “Delaware Litigation.”

3. I understand that Claims 1-8, 14-16, 19-29, 36-38, and 41-44 of the 244 Patent are challenged in this petition. I may refer to these claims as the “Challenged Claims.”

4. I understand that InterDigital owns the 244 Patent. *See* Ex. 1020 [Assignment Records for the 244 Patent].

5. In a previous litigation, I provided an expert report, invalidity opinion, and testimony with respect to the parent of the 244 Patent: U.S. Patent No. 7,616,970 (“the 970 Patent”). That report, opinion, and testimony was part of an International Trade Commission Investigation, 337-TA-800, in which the 970 Patent was invalidated. I will refer to that matter as the “800 Investigation.”

6. This declaration is based on information currently available to me. I note that while the claims of the 244 Patent may be slightly different from those 970 Patent claims I analyzed in the 800 Investigation, the specification, drawings, and abstract of the 244 Patent are identical to those of the 970 Patent. Given the close relationship between the 970 Patent and the

244 Patent, I have used my prior report, opinions, and testimony as a starting point for my declaration and opinions in this matter.

7. I have been asked to determine if any or all of the claims of the 244 Patent are invalid under 35 U.S.C. §§ 102 and/or 103. As set forth in more detail in this declaration, I have determined that all Challenged Claims of the 244 Patent are invalid. In this declaration, I explain the manner in which the technical art, known prior to the applicable dates of the claimed inventions, discloses each and every limitation of the Challenged Claims or would render these claims obvious to a person of ordinary skill in the art at the time the inventions were made.

8. To support my opinions contained in this declaration, I have further been asked to provide an overview of the technology and discuss the particular technology related to the 244 Patent, including an overview of that technology as it was known at the time of the earliest available priority date for the 244 Patent.

9. To the extent that additional information becomes available, I reserve the right to continue my investigation and study, which may include a review of documents and information that recently have been or may be made available, as well as testimony from depositions that may yet be taken in this matter. I may thus expand or modify my opinions as my investigation and study continues. I may also supplement my opinions in response to any additional information that becomes available to me, any matters raised by InterDigital and/or opinions provided by InterDigital's experts, or in light of any relevant orders from the Patent Trial and Appeal Board (the "PTAB Panel").

B. Education and Work Experience

1. Qualifications

10. My qualifications are set forth in my *curriculum vitae*, which is attached to this report as Attachment A.

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