

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD**

In re Patent of: Foster

Patent No.: RE39,059

Filed: March 31, 2003

Issued: April 4, 2006

Assignee: Universal Electronics Inc.

Title: COMPUTER
PROGRAMMABLE REMOTE
CONTROL

**Declaration of
James T. Geier**

**In Support of the Petition for *Inter
Partes* Review of U.S. Patent No.
RE39,059**

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF JAMES T. GEIER

Background and Qualifications

1. My name is James T. Geier. I am the founder and principal consultant for Wireless-Nets. I have 30 years experience in the communications industry designing, analyzing and implementing communications systems, wireless networks, and mobile devices.

2. I earned my Masters of Science in Electrical Engineering from the Air Force Institute of Technology in 1990. I received my Bachelor of Science in Electrical Engineering from California State University in 1985.

3. I served in the U.S. Air Force from 1977 to 1992 as a Commissioned Officer where I worked as a Communications System Engineer for six years, as a Systems Test Engineer for four years and a Systems Design Engineer for three years. After the Air Force, I worked in private industry for eight years before founding my current company, Wireless-Nets, Ltd. in April, 2000.

4. In my role as a Communications Systems Engineer for the U.S. Air Force from 1977 to 1983, I performed acceptance testing of newly-designed radar systems and maintained automatic tracking radar systems in support of tactical Air Force operations worldwide at the 75th TCF. From 1986 to 1989, I performed analog, digital, and protocol tests on various government wireless computer networks and developed testing approaches and methods as a Systems Test Engineer for the AFCC Operational Test and Evaluation Center as a Lieutenant. From 1990 to 1992 I served as a Captain at the Information Systems Center, where I evaluated the effectiveness of wireless LAN technology for use in mobile and portable military environments, represented the Air Force as part of the IEEE 802.11 Wireless LAN standards development and designed and implemented large-scale LANs and WANs for various government organizations.

5. After the Air Force, I was employed by Adroit Systems, where I researched and analyzed wireless communications technologies for use in U.S. Department of Defense airborne platforms. In addition, I was employed by TASC, Inc., where I analyzed and developed communications systems for various applications, such as data communications on submarines and within electrical power plants, and designed and implemented databases for various applications, including development of graphical user interfaces. In addition, I was employed by Monarch Marking Systems, where I designed and developed wireless middleware that coordinated communications among various systems components, such as bar code scanners, printers and application servers. In addition, while working at Monarch Marking Systems, I designed and implemented user interfaces on wireless bar code scanners.

6. As a consultant for Wireless-Nets, Ltd., I have designed and implemented wireless systems for various applications. For example, I designed and implemented a wireless system that includes a transmitting device with a keypad, joystick or other input device that would generate a code indicating actuation of the input device and transmit the code to a receiver. The receiver would decode the code and generate and transmit commands to control various other devices.

7. I have authored over a dozen books on mobile and wireless topics,

including Designing and Deploying 802.11n Wireless Networks (Cisco Press), Implementing 802.1X Security Solutions (Wiley), Wireless Networking Handbook (New Riders) and Network Re-engineering (McGraw- Hill).

8. I have been an active participant within IEEE standards organizations, such as the IEEE 802.11 Working Group, and the Wi-Fi Alliance and have served as Chairman of the IEEE Computer Society, Dayton Section, and various conferences.

9. A copy of my latest curriculum vitae (C.V.) is attached as Appendix A.

Status as Independent Expert Witness

10. I have been retained in this matter by Universal Remote Control, Inc. ("Petitioner" or "URC") to provide an analysis of the scope and content of U.S. Patent No. RE39,059 (hereinafter the "'059 patent") relative to the state of the art at the time of the earliest application underlying the '059 Patent. In particular, my analysis relates only to claims 13-17, 19, 20-26 and 30, which I am informed are the only claims asserted from the '059 patent in the 2013 UEI litigation. I have also been retained to provide analysis regarding what a person of ordinary skill in the art related to universal remote control devices would have understood at the time of the earliest application underlying the '059 patent.

11. I am being compensated at the rate of \$300 per hour for my work. My fee is not contingent on the outcome of any matter or on any of the technical positions

I explain in this declaration. I have no financial interest in Petitioner.

12. I have been informed that Universal Electronics Inc. (hereinafter referred to as "Patent Owner") owns the '059 Patent against Petitioner URC. I have no financial interest in the Patent Owner or the '059 patent nor to my recollection have I ever had any contact with the Patent Owner, or the inventors of the '059 patent.

Description of the Relevant Field and the Relevant Timeframe

13. I have carefully reviewed the '059 Patent.

14. For convenience, all of the information that I considered in arriving at my opinions is listed in Appendix B.

15. Based on my review of these materials, I believe that the relevant field for purposes of the '059 Patent is the remote control and consumer electronics and home automation systems. I have been informed that the relevant timeframe is around 1997.

16. As described in above, I have extensive experience in the relevant field, including experience relating to wireless communications and coordination of system components. Based on my experience, I have an established understanding of the relevant field in the relevant timeframe.

The Person of Ordinary Skill in the Relevant Field in the Relevant Timeframe

17. I have been informed that "a person of ordinary skill in the relevant field"

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