

Declaration of Jari Toivanen

1) I am Program Manager at Nokia Corporation (“Nokia”). I have worked for Nokia since 1993. I was a member of the team responsible for developing the mobile phones known as the Nokia 9000 Communicator and Nokia 9000i Communicator. Specifically, I was Chief Engineer of the application engine hardware, system and low level software design in the early phase of the project and later Project manager of all hardware design activities.

2) This declaration describes my understanding of the launch of certain mobile phones, the Nokia 9000 Communicator and Nokia 9000i Communicator, including the dates of publication of the user’s manuals for these mobile phones.

3) Nokia launched the Nokia 9000 Communicator by at least March 1996, at the CeBit trade fair in Hanover, Germany. *See* <http://press.nokia.com/1996/08/15/first-gsm-based-communicator-product-hits-the-market-nokia-starts-sales-of-the-nokia-9000-communicator/> (“The launch of the Nokia 9000 Communicator at the CeBit trade fair last March caused a stir in the media, among potential customers as well as service and software companies all over the world.”). Nokia first sold the Nokia 9000 Communicator by at least August 1996. *See* <http://press.nokia.com/1997/03/12/nokia-launches-the-nokia-9000-communicator-for-dcs-1800-standards/> (“The Nokia 9000 Communicator for GSM networks was introduced last year and sales first started in August 1996.”).

4) Nokia publicly distributed a user’s manual for the Nokia 9000 Communicator by at least August 1996. The document attached as Exhibit A to this declaration is a true and correct copy of the user’s manual for the Nokia 9000 Communicator.

5) Nokia launched the Nokia 9000i Communicator in the United States by at least September 10, 1997. *See* title of <http://press.nokia.com/1997/09/10/nokia-launches-the-nokia-9000i-communicator-for-gsm-1900/> (“Nokia Launches the Nokia 9000i Communicator for GSM 1900”). Nokia first sold the Nokia 9000i Communicator by at least October 1997. *See* http://press.nokia.com/1998/01/14/business-week-names-nokia-9000i-communicator-a-best-new-product-of-1997 (“The Nokia 9000i Communicator, which combines digital voice and data services and personal organizer functions, was first made commercially available in North America in October 1997 by GSM 1900 personal communications services (PCS) carriers.”).

6) Nokia publicly distributed a user’s manual for the Nokia 9000i Communicator by at least October 1997. The document attached as Exhibit B to this declaration is a true and correct copy of the user’s manual for the Nokia 9000i Communicator.

7) As the user’s manuals for the Nokia 9000 Communicator and Nokia 9000i Communicator describe, the phone connection could be switched on and off by pressing the **⓪** button on the cover. *See, e.g.,* page 1-2 of Exhibit B.

8) This declaration also describes my understanding of a certain function of the Nokia 9000 Communicator and Nokia 9000i Communicator, specifically concerning the ability for the user to turn off the phone connection.

9) When the phone connection is turned off, the ~~PHONE OFF~~ icon appears on the phone's display, which indicates that the mobile phone cannot send or receive calls or messages. *See, e.g.,* page 2-11 of Exhibit B.

10) As the user's manuals for the Nokia 9000 Communicator and Nokia 9000i Communicator describe, the mobile phone had a feature called "flight mode." This feature prevented the user from accidentally turning on the phone connection in an aircraft. *See e.g.,* pages 4-3 and 4-4 of Exhibit B.

11) In the Nokia 9000 Communicator and Nokia 9000i Communicator, the phone connection could be turned off without turning off the power to the entire mobile phone. For example, once "flight mode" was activated, the phone connection was turned off, without the need to press the **ⓘ** button on the cover. The Nokia 9000 Communicator and Nokia 9000i Communicator each combined the functions of a Personal Digital Assistant and a cellular phone. Flight mode enabled the usage of the Nokia 9000 Communicator or Nokia 9000i PDA during the flight while ensuring that the cellular radio was not switched on..

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Signature: Jari Toivanen
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