

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.
Petitioner

v.

DSS TECHNOLOGY MANAGEMENT, INC.
Patent Owner

U.S. Patent No. 6,128,290

Inter Partes Review Case No. Unassigned

DECLARATION OF JACK D. GRIMES, PH.D.

APL 1008

IPR of U.S. Pat. No. 6,128,290

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I, Jack D. Grimes, Ph.D., hereby declare as follows:

I. Introduction

1. I am over the age of eighteen (18) and otherwise competent to make this declaration.

2. I have been retained as an expert witness on behalf of APPLE INC. for the above-captioned *inter partes* review (IPR). I am being compensated for my time in connection with this IPR at my standard legal consulting rate, which is \$500 per hour. I understand that the petition for *inter partes* review involves U.S. Patent No. 6,128,290 (“the ’290 patent”), APL 1001, which issued from U.S. Patent Application No. 08/949,999 (“the ’999 application”), filed on October 14, 1997. The ’290 patent is a continuation-in-part of U.S. Patent Application No. 08/611,695, filed on March 6, 1996. The ’290 patent names Phillip P. Carvey as the sole inventor. The ’290 patent issued on October 3, 2000, from the ’999 application. It is my understanding that the ’290 patent is currently owned by DSS Technology Management, Inc.

3. In preparing this Declaration, I have reviewed the ’290 patent and considered each of the documents cited herein in light of the general knowledge in the art at the time of the alleged inventions. In formulating my opinions, I have relied upon my experience, education and knowledge in the relevant art. I have also considered the viewpoint of a person of ordinary skill in the art (“POSA”)

(i.e., a person of ordinary skill in the field of wireless network technology, defined further below) prior to October 14, 1997, the priority date for claims 1-4 of the '290 patent.

II. My Background and Qualifications

4. I am currently an independent consultant. Since 1989, I have provided studies, strategies and opinions to industry and the legal profession, with particular emphasis on topics including: PDAs, Wireless data systems, Security, Engineering development practices, Microprocessor technology and Computer system architecture. Prior to and during my work as an independent consultant, I worked at senior levels of management for various large and small high technology companies and have over twenty years of management experience at those companies.

5. I received my Doctor of Philosophy degree in Electrical Engineering with a minor in Computer Science from Iowa State University in 1970. I received a Master of Science degree in Electrical Engineering from Iowa State University in 1968 and a Bachelor of Science degree in Electrical Engineering from Iowa State University in 1965. I also received a Master of Science Degree in Experimental Psychology from the University of Oregon in 1981 with an emphasis on user interface design.

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