### UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

C-CATION TECHNOLOGIES, LLC,

Plaintiff,

Case No. 2:11-CV-00030-JRG-RSP

v.

COMCAST CORPORATION, CHARTER COMMUNICATIONS, INC., CEQUEL COMMUNICATIONS, LLC dba SUDDENLINK COMMUNICATIONS, CABLE ONE, INC., ALMEGA CABLE INC., LONGVIEW CABLE TELEVISION COMPANY, INC., and KILGORE VIDEO, INC.,

Defendants.

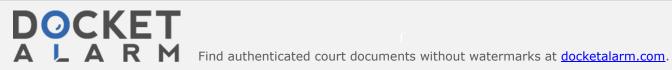
EXPERT REPORT OF STUART LIPOFF REGARDING THE INVALIDITY OF U.S. PATENT NO. 5,563,883 AND THE MATERIALITY OF UNDISCLOSED PRIOR ART

**AUGUST 16, 2013** 



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A.	The '883 patent lacks written-description support for "predetermined signate channels" that are not fixed	
B.	The '883 patent lacks written-description support for "signaling data" as "traffic bearer" channels that are one and the same	



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#### I. APPENDICES AND EXHIBITS

Appendix No.	Description
Appendix 1	Stuart Lipoff Curriculum Vitae
Appendix 2	Materials Reviewed & Information Considered
Appendix 3	Features of the '883 Patent described in U.S. Patent No. 5,355,374 ("Hester")
Appendix 4	Features of the '883 Patent described in U.S. Patent No. 4,533,948 ("McNamara") and "MetroNet: An Overview of a CATV Regional Data Network" ("MetroNet" or "the MetroNet paper")
Appendix 5	Features of the '883 Patent described in U.S. Patent No. 5,225,902 ("McMullan")
Appendix 6	Features of the '883 Patent described in MPT 1327 – A Signalling Standard for Trunked Private Land Mobile Radio Systems ("MPT 1327") and MPT 1343 – Performance Specification ("MPT 1343") (collectively, "MPT Specification")

Exhibit No.	Description
Exhibit 1	U.S. Patent No. 5,563,883 ("the '883 Patent")
Exhibit 2	U.S. Patent No. 5,355,374 ("Hester")
Exhibit 3	U.S. Patent No. 4,533,948 ("McNamara")
Exhibit 4	"MetroNet: An Overview of a CATV Regional Data Network" ("MetroNet" or "the MetroNet paper")
Exhibit 5	U.S. Patent No. 5,225,902 ("McMullan")
Exhibit 6	U.S. Patent No. 4,573,206A ("Grauel")
Exhibit 7	AT&T Website, "History of Network Management"
Exhibit 8	Excerpts from R.J. Holbeche, "Land Mobile Radio Systems," ISBN 0-863341-049-9 (1985).
Exhibit 9	Excerpts from Joseph A. Pecar, <i>et al.</i> , "Telecommunications Factbook," ISBN 0—0-049183-6 (1993).
Exhibit 10	"Building the business case for cable telephony," Business Communications Review, Larry Yokell, March 1, 1996.
Exhibit 11	Paul Kirvan, "It's finally happened: cable TV company provides phone service," Communications News, November 1, 1991.



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