

## DECLARATION OF SCOTT ANDREWS

I, Scott Andrews, declare as follows:

1. I hold a B.Sc. degree in Electrical Engineering from University of California–Irvine and a M.Sc. degree in Electronic Engineering from Stanford University. In various positions at, among others, TRW and Toyota, I have been responsible for research and development projects relating to, among others, numerous vehicle navigation systems, information systems, and user interface systems. My qualifications are further set forth in my *curriculum vitae* (Exhibit A). I have been retained by Volkswagen Group of America, Inc. in connection with its petition for *inter partes* review of U.S. Patent No. 7,917,285 (“the ’285 patent”). I have over 25 years of experience in fields relevant to the ’285 patent, including vehicle telecommunications systems, vehicle navigation systems, and telematics-aided vehicle navigation systems.

2. I have reviewed the ’285 patent, as well as its prosecution history and the prior art cited during its prosecution, including U.S. Patent Application Publication No. 2004/02284849 (“Ishibashi”) and U.S. Patent Application Publication No. 2004/0064245 (“Knockeart”). I have also reviewed U.S. Patent No. 6,526,335 (“Treyz”), European Patent Application Publication No. 1 302 751 (“Demir”), U.S. Patent Application Publication No. 2003/0043019 (“Tanaka”), the Richard Lind et al. publication, *The Network Vehicle – A Glimpse into the Future of Mobile Multi-Media*, SAE Brasil 98, VII International Mobility Technology Conference & Exhibit (“Lind”), and U.S. Patent No. 7,386,393 (“Zabel”).

### **The '285 Patent**

3. The '285 patent describes remotely entering addresses into GPS devices. A user enters a location into a web browser in a computer 306, and the computer 306 transmits the location to a server 304. Col. 9, l. 67–col 10 20. The server 304 then resolves the address and sends the resolved information to the GPS device 100. Col. 10, ll. 34–38. The GPS device uses the information to provide route guidance. Col. 10, ll. 38–49. To identify both the user and the user's GPS device, the system described in the '285 patent uses an Internet cookie and a database of GPS device transmission information. The user's computer transmits an Internet cookie to the server to identify the user, and the server utilizes a database to identify a telephone number or IP address for use in transmitting information to the GPS device 100. Col. 10, ll. 21–33.

4. According to my understanding of the prosecution of the '285 patent, claim 1 was granted on an application claim, *i.e.*, application claim 25, which described a system for entering location information into a positional information device including a server that is configured to receive a request for a location, to determine coordinates of the location, and to transmit the coordinates to the positional information device, as follows:

25. A system for entering location information into a positional information device, the system comprising:

a server configured to receive a request for at least one location, determine coordinates of the least one requested location and to transmit the determined coordinates to the device;

the positional information device including

a locational information module for determining location information of the device;

a communication module for receiving coordinates of the at least one location from the server;

a processing module configured to receive the coordinates from the communication module and determine route guidance based on the location of the device and the received coordinates; and

a display module for displaying the route guidance; and

a communications network for coupling the positional information device to the server.

5. After being rejected as anticipated by Ishibashi, this claim was amended to describe “remotely” entering location information and to change “coordinates” to “address,” as follows:

25. A system for remotely entering location information into a positional information device, the system comprising:

a server configured to receive a request for an address of at least one location not already stored in the positional information device, to determine ~~coordinates~~ the address of the least one ~~requested~~ location and to transmit the determined ~~coordinates~~ address to the positional information device;

the positional information device including

a locational information module for determining location information of the positional information device;

a communication module for receiving the determined coordinates address of the at least one location from the server;

a processing module configured to receive the determined coordinates address from the communication module and determine route guidance based on the location of the positional information device and the received determined coordinates address; and

a display module for displaying the route guidance; and

a communications network for coupling the positional information device to the server.

6. After again being rejected, as anticipated by Knockeart, this claim was further amended to describe that “the request is received from a remote computer with a first identifier and the server being configured to determine a second identifier for identifying the positional information device based on the received first identifier,” as follows:

25. A system for remotely entering location information into a positional information device, the system comprising:

a server configured to receive a request for an address of at least one location not already stored in the positional information device, to determine the address of the least one location and to transmit the determined address to the positional information device,

wherein the request is received from a remote computer with a first identifier and the server being configured to determine a second identifier for identifying the positional information device based on the received first identifier;

the positional information device including

- a locational information module for determining location information of the positional information device;
- a communication module for receiving the determined address of the at least one location from the server;
- a processing module configured to receive the determined address from the communication module and determine route guidance based on the location of the positional information device and the determined address; and
- a display module for displaying the route guidance; and
- a communications network for coupling the positional information device to the server.

7. According to the Office Action dated October 13, 2010, the Examiner concluded that Knockeart disclosed all of the limitations of application claim 25, except for the limitation that “the server being configured to determine a second identifier for identifying the positional information device based on the received first identifier.” As discussed below, however, this limitation of claim 1 of the ’285 patent, as well as the remaining limitations of claims 1 through 12 of the ’285 patent, are described in the prior art. In my opinion, a person of ordinary skill in the art, at the time of the filing of the application for the ’285 patent, would have found the systems described in claims 1 through 12 obvious in view of the prior art.

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