

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

---

M2M SOLUTIONS LLC,  
  
Plaintiff,  
  
v.  
  
SIERRA WIRELESS AMERICA, INC. and  
SIERRA WIRELESS, INC.,  
  
Defendants.

---

C.A. No. 12-030-RGA

**CONFIDENTIAL –  
FILED UNDER SEAL**

---

M2M SOLUTIONS LLC,  
  
Plaintiff,  
  
v.  
  
ENFORA, INC., NOVATEL WIRELESS  
SOLUTIONS, INC., and NOVATEL  
WIRELESS, INC.,  
  
Defendants.

---

C.A. No. 12-032-RGA

---

M2M SOLUTIONS LLC,  
  
Plaintiff,  
  
v.  
  
MOTOROLA SOLUTIONS, INC., TELIT  
COMMUNICATIONS PLC, and TELIT  
WIRELESS SOLUTIONS INC.,  
  
Defendants.

---

C.A. No. 12-033-RGA

**DECLARATION OF MARC N. HENSCHKE IN SUPPORT OF  
PLAINTIFF’S ANSWER TO DEFENDANTS’ MOTION FOR  
RECONSIDERATION OF THE COURT’S CLAIM CONSTRUCTIONS  
OF “PROCESSING MODULE” AND “PROGRAMMING INTERFACE”**

I, MARC N. HENSCHKE, state and declare as follows:

1. I am an attorney with the law firm of Foley & Lardner LLP, counsel of record for the named Plaintiff M2M Solutions LLC (“M2M”) in the above-referenced actions. I submit this Declaration in support of M2M’s Answer To Defendants’ Motion For Reconsideration Of The Court’s Claim Constructions Of “Processing Module” And “Programmable Interface” Based On The Federal Circuit *En Banc* Decision In *Williamson V. Citrix Online* that was jointly filed by the named Defendants in the above-referenced actions on July 10, 2015. I have personal knowledge of all of the facts stated herein and, if sworn as a witness, I could and would testify competently thereto.

2. Attached hereto as Exhibit 1 is a true and correct copy of United States Patent No. 8,094,010 (the “’010 patent”).

3. Attached hereto as Exhibit 2 is a true and correct copy of an Applicant’s Response To Office Action dated September 4, 2008 that has been excerpted from the file wrapper for U.S. Patent Application No. 11/329,212, which is a parent application to the ’010 patent.

4. Attached hereto as Exhibit 3 is a true and correct copy of excerpts from the deposition transcript for the deposition of Dr. Kevin J. Negus taken in certain of the above-referenced actions on May 22, 2015.

5. Attached hereto as Exhibit 4 is a true and correct copy of the Expert Report Of Dr. Seth James Nielson On The Invalidity Of U.S. Patent No. 8,094,010 (without exhibits) served in the C.A. No. 12-033-RGA action on May 5, 2014.

6. Attached hereto as Exhibit 5 is a true and correct copy of the Response Of Dr. Seth James Nielson To The Expert Report Of Dr. Alon Konchitsky (without exhibits) served in the C.A. No. 12-033-RGA action on August 4, 2014.

7. Attached hereto as Exhibit 6 is a true and correct copy of the Expert Report Of Dr. Seth James Nielson In Rebuttal To Dr. Nettleton And Mr. Bluestein (without exhibits) served in the C.A. No. 12-033-RGA action on July 7, 2014.

8. Attached hereto as Exhibit 7 is a true and correct copy of the first claim set filed in the underlying priority PCT application in May of 2001 excerpted from the file wrapper for U.S. Patent Application No. 10/296,571, which is a parent application to the '010 patent.

9. Attached hereto as Exhibit 8 is a true and correct copy of the first claim set filed in and excerpted from the file wrapper for U.S. Patent Application No. 12/538,603 which matured into the '010 patent.

10. Attached hereto as Exhibit 9 is a true and correct copy of excerpts from the Reply Expert Report Of Kevin J. Negus, PH.D. Regarding Invalidity US Patent 8,094,010 served in the C.A. Nos. 12-030-RGA and 12-032-RGA actions on August 4, 2014.

11. Attached hereto as Exhibit 10 is a true and correct copy of excerpts from the deposition transcript for the deposition of Dr. Kevin J. Negus taken in certain of the above-referenced actions on May 21, 2015.

12. Attached hereto as Exhibit 11 is a true and correct copy of excerpts from the Expert Report Of Kevin J. Negus, PH.D. Regarding Invalidity Of U.S. Patent 8,094,010 served in the C.A. Nos. 12-030-RGA and 12-032-RGA actions on May 5, 2014.

I declare under the penalty of perjury that the foregoing is true and correct and that this Declaration is executed on this 3<sup>rd</sup> day of August, 2015 at Boston, Massachusetts.

/s/ Marc N. Henschke

Marc N. Henschke

# EXHIBIT 1

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.