

Expert Declaration of Mr. Jeffrey Fischer for *Inter Parties* Review of US Patent No. 7,787,904

**EXPERT DECLARATION OF MR. JEFFREY FISCHER
IN SUPPORT OF
INTER PARTES REVIEW OF U.S. PATENT NO. 7,787,904**

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I. INTRODUCTION

1. I, Mr. Jeffrey Fischer, submit this declaration in support of a Petition for *Inter Parties* Review of United States Patent No. 7,787,904 owned by Qurio Holdings, Inc. (“Qurio” or “Patent Owner”). I have been retained in this matter by Baker Botts L.L.P. (“Counsel”) on behalf of DISH Network L.L.C. (“Petitioner”).

2. I make this declaration based upon my personal knowledge. I am over the age of 21 and am competent to make this declaration.

3. The statements herein include my opinions and the bases for those opinions, which relate to at least the following documents of the pending *inter partes* review petition:

- U.S. Patent No. 7,787,904 by Alfredo Issa entitled “Method and System to Display Media Content Data” (“the ‘904 Patent”) (Ex. 1001).
- File History for U.S. Patent No. 7,787,904 (Ex. 1002).
- U.S. Patent No. 7,535,465 B2 by Morse (“Morse”) (Ex. 1004).
- U.S. Patent Application No. 2003/007117 A1 to Meade, II (“Meade”) (Ex. 1005).
- U.S. Patent Publication No. 2004/0073610 by Terada et al. entitled “Contents Reproducing System” (“Terada”) (Ex. 1006)
- U.S. Patent No. 7,647,614 to Krikorian et al. (Ex. 1007) (“Krikorian”).
- IEEE 802.15.1 WPAN standard published in 2005 (Ex. 1008)
- Patent Owner’s Patent Rule 4-2 Disclosure of Proposed Claim Constructions (Ex. 1013).
- Qurio Initial Infringement Contentions for U.S. Patent No. 7,787,904 (Ex. 1014).

4. My materials considered for forming my opinions herein have included at least the above-referenced documents.

5. I am being compensated for my time at a rate of \$300 per hour in preparing this declaration. The opinions herein are my own, and I have no stake in the outcome of the review proceeding. My compensation does not depend in any way on the outcome of the Petitioner's petition.

II. QUALIFICATIONS

6. I am qualified by education and experience to testify as an expert in the field of telecommunications. Attached, as Attachment A, is a copy of my resume detailing my experience and education. Additionally, I provide the following overview of my background as it pertains to my qualifications for providing expert testimony in this matter.

7. I am qualified both by education and experience to testify in the field of telecommunications, wired and wireless networking, and in particular, as it pertains to the 7,787,904 patent.

8. I have been an electrical engineer working in the communications field for 35 years. I am currently an engineering consultant actively engaged in product design for both indoor and outdoor wireless systems. I also perform expert consulting work in intellectual property cases. I design wireless hardware, software, low-level firmware, algorithms and entire wireless system architectures including wired network interfaces. My hardware work includes design of digital circuits, analog circuits, and radio frequency (RF) circuits. My work often includes system analysis and system engineering. System analysis involves analyzing the performance of a communications system and often includes determining the best parameters of a design for solving an over-all problem. Typically it incorporates simulations of a system or part of a system and comparisons of different techniques. System engineering involves the design of operational algorithms from input to output to achieve a communications system that suits a

specific set of requirements. I also do hands-on system integration, which is working in an engineering laboratory building and debugging hardware to put together a final product, including testing the product, making design adjustments to pass regulatory requirements, and assisting in the development of test systems for mass production.

9. As part of my intellectual property work, I have provided expert assistance to both plaintiffs and defendants.

10. I am a co-inventor on more than 11 patents, which relate to technologies such as high speed wireless network communications, radio frequency identification systems and underwater communications.

11. I attended Cornell University where I received a Bachelor of Science degree in Electrical Engineering in 1979 and a Master of Engineering in Electrical Engineering in 1980. During school, I had cooperative work-study assignments at Hewlett Packard Co. and worked at Ampex Co.

12. I was subsequently employed at MIT Lincoln Laboratory in Lexington, Massachusetts for 6 years, 5 of them as a Senior Staff Member, in the Analog Device Technology Group. Lincoln Laboratory is a Federally Funded Research and Development Center administered by the Massachusetts Institute of Technology with specialties in advanced radio communications and radar technology. At Lincoln Lab I was given charge of a project to build the signal processing and control circuits of the Defense Advanced Research Projects Agency (DARPA) Advanced Packet Radio, which was also sponsored by the Department of the Army. In developing this radio I performed a large part of the actual circuit design in concert with a larger team that I led in the development effort. The team that I led on this project consisted of

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