

EXPERT DECLARATION OF DR. RAYMOND. J. LEOPOLD
FOR
***INTER PARTES* REVIEW OF U.S. PATENT NO 6,240,073**

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DECLARATION OF DR. RAYMOND J. LEOPOLD

I. INTRODUCTION

1. I, Dr. Raymond J. Leopold, submit this declaration in support of the Petitions for *Inter Parties* Review of United States Patent No. 6,240,073 (“the ‘073 Patent” or “Exhibit 1001”), owned by Elbit Systems Land (“Elbit”). I have been retained in this matter by Baker Botts L.L.P. (“Counsel”) on behalf of Hughes Network Systems, LLC (collectively, the “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. I have personal knowledge of the facts stated in this Declaration and could testify competently to them if asked to do so

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:

4. Exhibit 1004 - EP 0719062 to Rudrapatna (“Rudrapatna”) filed May 12, 1995 and published on June 26, 1996. Rudrapatna is prior art under at least 35 U.S.C. § 102(b) because it was filed on May 21, 1995 and published on June 26, 1996.

5. Exhibit 1005 - U.S. Patent No. 5,673,259 to Quick, (“Quick”) filed May 17, 1995 and issued on September 30, 1997. Quick is prior art under at least

35 U.S.C. § 102(e) because it was filed on May 17, 1995 and issued into a U.S. Patent on September 30, 1997.

6. Exhibit 1006 - U.S. Patent No. 5,172,375 to Kou, (“Kou”) filed on June 25, 1990 and issued on December 15, 1992. Kou is prior art under at least 35 U.S.C. § 102(b) because it was filed on June 25, 1990 and issued into a U.S. Patent on December 15, 1992.

7. Exhibit 1007 - U.S. Patent No. 5,172,375 to Beal, et al. (“Beal”) filed on March 2, 1992 and issued on December 27, 1994. Beal is prior art at least under at least 35 U.S.C. § 102(b) because it was filed on March 2, 1992 and issued into a U.S. Patent on December 27, 1994.

8. Exhibit 1008 - Application No. WO/95/10920 by Nakamura (“Nakamura”) filed on October 13, 1994 and published on April 20, 1995. Nakamura is prior art under at least 35 U.S.C. § 102(b) because it was filed on October 13, 1994 and published on April 20, 1995.

9. Exhibit 1009 - U.S. Patent No. 4,532,636 to Dent P. Wilkinson (“Wilkinson”) filed on June 18, 1982 and issued on July 30, 1985. Wilkinson is prior art under at least under 35 U.S.C. § 102(b) because it was filed on June 18, 1982 and issued on July 30, 1985.

10. The materials I considered in forming my opinions herein include at least the above-referenced documents.

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