

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC.
Petitioner

v.

FO2GO
Patent Owner

IPR2016-_____
Patent No. 7,173,651

DECLARATION OF CHARLES ELDERING, PH.D.

U.S. PATENT NO. 7,173,651 – CLAIMS 1-5

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I, Charles Eldering, declare as follows:

I. INTRODUCTION

1. My name is Charles Eldering. I received a B.S. from Carnegie Mellon in Physics, a M.S. From Syracuse University in Solid State Science and Technology, and a Ph.D. in Electrical Engineering from the University of California. A copy of my curriculum vitae, which includes a more detailed summary of my background, experience, patents, and publications, is attached at EX1003.

2. I have been retained by Unified Patents Inc. (“Unified”) as an independent expert consultant in the field of computer networks and digital media communications. I am being compensated for the time I spend on this matter, but my compensation is not dependent on and in no way affects the substance of my statements in this declaration.

3. I have been involved in computer engineering, fiber-optic, cable-based, and network telecommunications for over 20 years. At Expanse Networks, a company I founded in 2000, I worked extensively on developing designs, systems, and initial system prototypes and products for media communication systems. I

also developed network architectures for content delivery and software for devices, such as head-end equipment and consumer electronic devices (e.g., set-top boxes).

4. My experience at General Instrument Corporation from 1993 to 1995 as the Manager of Fiber-to-the-Curb/Switched Digital Video Systems and Broadband Systems Engineering is also relevant to this matter. At General Instrument, I was involved in digital video system design and development for two-way interactive networks.

5. I am not an attorney and offer no legal opinions, but in my work, including my work as a patent agent, I have had experience studying and analyzing patents and patent claims from the perspective of a person skilled in the art, and have developed patent portfolios. I have previously served as a patent analyst and research consultant and I am a named inventor on many patents.

6. I have reviewed the specification, the claims, and the prosecution history of U.S. Patent No. 7,173,651 to Knowles (“’651 Patent” (EX1001)).

7. I have reviewed and understand the following references:

i. U.S. Patent No. 6,833,861 to Matsumoto et al. (“*Matsumoto*”) (EX1004). *Matsumoto* claims priority to Japanese Patent Application No. 9-072008, which was filed on March 25, 1997 and published as Japanese Patent

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