

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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ZTE (USA) Inc.,  
HTC Corporation, and  
HTC America, Inc.,

Petitioner

v.

Evolved Wireless LLC,

Patent Owner

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**DECLARATION OF PAUL S. MIN, PH.D**

Case No. IPR2016-00757

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## I. Introduction & Summary of Opinions

1. My name is Paul Min. I submit this declaration on behalf of ZTE (USA) Inc., HTC Corporation, and HTC America, Inc. (“Petitioner”), which I understand are challenging the validity of claims 1-10 and 12-13 (“the challenged claims”) of U.S. Patent No. 7,881,236 (“the 236 patent”) in a petition for *inter partes* review.

2. I have been asked to provide an opinion on the validity of the challenged claims. In my opinion, for the reasons in the following sections, the challenged claims are invalid on the following grounds:

- (1) Claims 1-6 are obvious in view of the 321 reference (Exhibit 1003) and the 300 reference (Exhibit 1002); and
- (2) Claims 7-10 and 12-13 are obvious in view of the 321 reference (Exhibit 1003), the 300 reference (Exhibit 1002), and the Ericsson patent (Exhibit 1004).

3. I have also been asked to provide an opinion on whether Exhibits 1002 and 1003 to the petition were available to interested members of the public before August 11, 2008, which is the claimed priority date of the 236 patent. In my opinion, for the reasons in the following sections:

- (1) Exhibit 1002 (the 300 reference) was available to members of the general public, including interested members of the public,

without restriction as of at least March 11, 2008; and

- (2) Exhibit 1003 (the 321 reference) was available to members of the general public, including interested members of the public, without restriction as of at least June 15, 2008.

## **II. Background/Qualifications**

4. Appendix A to this declaration is my curriculum vitae, which sets forth my qualifications.

5. I received a B.S. degree in Electrical Engineering in 1982, an M.S. degree in Electrical Engineering in 1984, and a Ph.D. degree in Electrical Engineering in 1987 from the University of Michigan in Ann Arbor. I received several academic honors, including my B.S. degree with honors, a best graduate student award and a best teaching assistant award during my M.S. study, and a best paper award from a major international conference for reporting results from my Ph.D. thesis.

6. After receiving my Ph.D., I worked at Bellcore in New Jersey from August 1987 until August 1990. At Bellcore, I was responsible for evolving the public switched telephone network (POTS) into a multi-services voice and data network that incorporated packet switches, optical technologies, and wireless technologies.

7. In September 1990, I joined the faculty at Washington University in

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