

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.
Petitioner

v.

UNILOC LUXEMBOURG S.A.
Patent Owner

Case IPR2017-00222
Patent 8,243,723

DECLARATION OF LEONARD J. FORYS, PH.D.

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I. Introduction

I, Dr. Leonard J. Forys, declare as follows:

1. I have been retained as an expert witness by Sterne, Kessler, Goldstein & Fox PLLC to provide testimony on behalf of Apple Inc. (“Apple” or “Petitioner”) for the above-captioned *inter partes* review proceeding. This Declaration concerns technical subject matter relevant to the *inter partes* review petition (“Petition”) concerning U.S. Patent No. 8,243,723 (“the ’723 Patent”) titled “System and method for instant VoIP messaging” by Michael J. Rojas. It is my understanding that ’723 Patent is currently assigned to Uniloc Luxembourg S.A.

2. I am over 18 years of age. I have personal knowledge of the facts stated in this Declaration and would testify competently to them if asked to do so.

3. I have reviewed and am familiar with the specification, claims, and prosecution history of the ’723 Patent. I will cite to the specification using the following format: (’723 Patent, 1:1-10). This example citation points to the ’723 patent specification at column 1, lines 1-10.

4. I have reviewed and am familiar with the following documents and materials:

Exhibit	Description
1001	Rojas, U.S. Patent No. 8,243,723 (earliest priority date December 18, 2003; filed March 4, 2009; issued August 14, 2012).
1002	File History for U.S. Patent No. 8,243,723.
1005	Vuori, U.S. Patent Application Publication No. 2002/0146097 (filed July 23, 2001, published October 10, 2002).
1006	SMSS, Universal Mobile Telecommunications System (UTMS); Technical realization of the Short Message Service (SMS) (3G TS 23.040 version 3.5.0 Release 1999) (published on August 16, 2000).
1007	Holtzberg, U.S. Patent No. 6,625,261 (filed December 20, 2000, issued September 23, 2003).
1008	Väänänen, U.S. Patent No. 7,218,919 (filed August 8, 2001, issued May 15, 2007).
1009	Dahod et al., U.S. Patent Application Publication No. 2004/0022208 (filed on August 1, 2002, published February 5, 2004).
1010	Hogan et al., U.S. Patent No. 5,619,554 (filed June 8, 1994, issued April 8, 1997).
1011	Logan et al., U.S. Patent No. 5,732,216 (filed October 2, 1996, issued March 24, 1998).
1012	Peersman et al., The Global System for Mobile Communications Short Message Service, IEEE Personal Communications (June 2000).
1013	SMS Forum, SMPP v3.4 Protocol Implementation guide for GSM / UMTS, Version 1.0 (May 30, 2002).
1014	Clarke et al., Experiments with packet switching of voice traffic, IEE Proceedings G - Electronic Circuits and Systems, Vol.130, Pt. G, No. 4, pp. 105-13 (August 1983).

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