UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE PATENT TRIAL AND APPEAL BOARD GOOGLE LLC, Petitioner, V. BLACKBERRY LTD., Patent Owner. Case No. IPR2017-00911 U.S. Patent No. 8,745,149

DECLARATION OF DR. GEORGE T. LIGLER



TABLE OF CONTENTS

Petit	ioner's	ExhibitS Considered	iii
Pater	nt Own	er's ExhibitS Considered	iii
I.	Introduction		
	A.	Engagement	1
	B.	Background and Qualifications	2
	C.	List of Materials Considered/Reviewed	5
II.	Legal	Standards for Patentability	6
	A.	Anticipation	7
	B.	Obviousness	8
III.	The '149 Patent		
	A.	Overview of the '149 Patent	9
	B.	Priority Date and Relevant Prosecution History	11
	C.	Person of Ordinary Skill in the Art	14
IV.	Clain	n Construction	16
V.	Appelman in view of Toshio Does Not Render Obvious Any of the Challenged Claims		17
	A.	Overview of Appelman	17
	B.	Overview of Toshio	22
	C.	The Combination of Appelman in view of Toshio to Reach the Challenged Claims Would Not Be Obvious	24
VI.		lman in view of Milton Does Not Render Obvious Any of the enged Claims	29



IPR2	017-00	1911 (U.S. Patent No. 8,745,149)	Decl. of George T. Ligler
	A.	Overview of Milton	29
	B.	Milton Is Non-Analogous Art to the '149 Pa	atent31
	C.	The Combination of Appelman in view of N Challenged Claims Would Not Be Obvious	
VII.		lman in view of Toshio and MacPhail or in v Phail Does Not Render Obvious Claims 8 and	



PETITIONER'S EXHIBITS CONSIDERED

No.	Exhibit Description
1001	U.S. Patent No. 8,745,149
1002	Declaration of Dr. Dan R. Olsen Jr.
1003	CV of Dr. Dan R. Olsen Jr.
1004	File History of U.S. Patent No. 8,745,149
1006	U.S. Patent No. 5,631,949 ("Milton")
1007	JP Patent Application No. H03-89639 ("Toshio")
1009	U.S. Patent No. 6,661,434 ("MacPhail")
1010	File History of U.S. Patent No. 9,385,973
1011	BlackBerry's Opposition to Motion to Dismiss in BlackBerry LTD.
	v. BLU Prods., Inc., Case No. 1:16-cv-23535 (S.D. Fla.)
1012	International Publication No. WO 01/24036 ("Appelman")
1013	Caroline Rose et al., "Inside Macintosh Volume 1" (1985)
1014	U.S. Patent No. 8,554,859

PATENT OWNER'S EXHIBITS CONSIDERED

No.	Exhibit Description
2001	U.S. Patent No. 7,181,497 to Appelman et al.
2002	U.S. Patent No. 7,219,109 to Lapuyade et al.
2003	The American Heritage College Dictionary (4th Ed. 2004) (Excerpt)
2005	CV of Dr. George Ligler
2006	Deposition Transcript of Dr. Daniel R. Olsen, Jr. (Nov. 17, 2017)
2007	Declaration of Dr. George T. Ligler



I, Dr. George T. Ligler, hereby declare as follows:

I. Introduction

A. Engagement

- 1. I have been retained on behalf of Patent Owner Blackberry, Ltd.

 ("Blackberry") to offer statements and opinions generally regarding the novelty and understanding of a person of ordinary skill in the art ("POSA") in the industry as it relates to U.S. Patent No. 8,745,149 ("the '149 patent"), which is entitled "Handheld Electronic Device and Associated Method Providing Time Data in a Messaging Environment." I understand that Petitioner Google ("Petitioner") has challenged claims 1-17 of the '149 patent as unpatentable over certain prior art. I have been asked provide my opinion and analysis of the various references and opinions advanced in the Declaration of Dr. Dan R. Olsen, Jr., which I understand to be Exhibit 1002 to these proceedings ("Olsen Declaration").
- 2. I have personal knowledge of the facts and opinions set forth in this declaration, and believe them to be true. If called upon to do so, I would testify competently thereto. I have been warned that willful false statements and the like are punishable by fine or imprisonment, or both.
- 3. I am being compensated for my time at the rate of \$600 per hour for my work in connection with this matter. I am being reimbursed for reasonable and customary expenses associated with my work in this investigation. This



DOCKET

Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.

