UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE INC., MOTOROLA MOBILITY LLC, HUAWEI DEVICE CO., LTD., HUAWEI DEVICE USA, INC., HUAWEI INVESTMENT & HOLDING CO., LTD., HUAWEI TECHNOLOGIES CO., LTD., AND HUAWEI DEVICE (DONGGUAN) CO., LTD.,
Petitioners,

v.

UNILOC USA, INC. and UNILOC LUXEMBOURG S.A.,
Patent Owners.

Case IPR2017-02081
Patent 8,724,622

DECLARATION OF WILLIAM C EASTTOM II

TABLE OF CONTENTS

I, Chuck Easttom, hereby declare as follows:

I. INTRODUCTION

1. My name is William Charles Easttom II (Chuck Easttom) and I have been retained by Uniloc, USA, Inc., and Uniloc Luxembourg S.A. ("Uniloc" or the "Patent Owner") to provide my expert opinions regarding U.S. Patent No. 8,724,622 (the '622 Patent). In particular, I have been asked to opine on whether a person of ordinary skill in the art (POSITA) at the time the inventions described in the '622 patent were conceived would have found all claims, Claims 1, 2, 24-34, and 36-39 ("Challenged Claims") as unpatentable in light of the cited references and arguments in IPR2017-2081.

2. Based on my review of the prior art then available, my understanding of the relevant of the relevant requirements of patent law, and my decades of experience in the field of computer science including communications systems, it is my opinion that the Challenged Claims would not have been obvious in light of the proposed combinations.

3. I am being compensated for my time at my standard consulting rate of $300 per hour. I am also being reimbursed for expenses that I incur during the course of this work. Apart from that, I have no financial interest in Uniloc. My compensation is not contingent upon the results of my study or the substance of my opinions.

II. BACKGROUND AND QUALIFICATIONS

4. In my over 25 years of computer industry experience I have had extensive experience in communications systems, including data networks in general that have messaging capabilities. I hold 42 industry certifications, which include (among others) networking certifications. I have authored 24 computer science books, several of which deal with networking topics. I am also the sole named inventor on thirteen patents.

5. A more detailed description of my professional qualifications, including a list of publications, teaching, and professional activities, is contained in my curriculum vitae, a copy of which is attached hereto as Exhibit A.

III. LEGAL STANARDS USED IN MY ANALYSIS

6. Although I am not an attorney and I do not offer any legal opinions in this proceeding, I have been informed of and relied on certain legal principles in reaching the opinions set forth in this Declaration.

A. Obviousness

7. I understand that a patent claim is invalid if the differences between the subject matter and the prior art are such that the subject matter as a whole would have been obvious to a POSITA at the time of the alleged invention. I further understand that an obviousness analysis involves a review

of the scope and content of the asserted prior art, the differences between the prior art and the claims at issue, the level of ordinary skill in the pertinent art, and objective indicia of non-obviousness such as long-felt need, industry praise for the invention, and skepticism of others in the field.

8. I have been informed that if a single limitation of a claim is absent from the cited prior art, the claim cannot be considered obvious.

9. I have further been informed that it is improper to combine references where the references teach away from a proposed combination; and that the following factors are among those relevant in considering whether prior art teaches away:

- whether a POSITA, upon reading the reference would be led in a direction divergent from the path that was taken by the applicant;
- whether the prior art criticizes, discredits, or otherwise discourages investigation into the claimed invention;
- whether a proposed combination would produce an inoperative result; and
- whether a proposed combination or modification would render the teachings of a reference unsatisfactory for its intended purpose.

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