

Declaration of Dr. Narasimha Reddy Under 37 C.F.R. § 1.68 in Support of
Petitioner's Reply to Patent Owner's Response

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC.,

Petitioner

- vs. -

FALL LINE PATENTS, LLC,

Patent Owner

Case IPR2018-00043

U.S. Patent No. 9,454,748

REPLY DECLARATION OF A.L. NARASIMHA REDDY, UNDER 37 C.F.R.
§ 1.68 IN SUPPORT OF PETITION FOR *INTER PARTES* REVIEW
OF U.S. PATENT NO. 9,454,748 (CLAIMS 16-19 AND 21-22)

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I, A.L. Narasimha Reddy, do hereby declare as follows:

I. INTRODUCTION

1. As I stated previously, I have been retained as an independent expert witness on behalf of Unified Patents Inc. ("Unified ") for the above-captioned Petition for *Inter Partes* Review ("IPR") of U.S. Patent No. 9,454,748 ("the '748 Patent"). I am being compensated at my usual and customary rate for the time I spent in connection with this IPR. My compensation is not affected by the outcome of this IPR.

2. I previously submitted a Declaration as Exhibit 1005 in IPR2018-00043, setting forth my background, credentials, and curriculum vitae, which provides further details (referred to herein as my "first Declaration"). I submit this Declaration in Reply to the Declaration of John C. Hale, filed as Exhibit 2006.

3. In addition to the materials I reviewed in preparing my first Declaration, in preparing this Reply Declaration, I have also reviewed:

- a) Ex. 2006, Declaration of John C. Hale;
- b) Ex. 2007, Excerpt from HTML The Complete Reference;
- c) Ex. 2008, Excerpt from Service Manual : RAE/RAK-1 SERIES CELLULAR PHONE/PERSONAL DIGITAL ASSISTANT Nokia 900i_Service_Manual.pdf; and
- e) Any other document referenced herein.

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4. In forming the opinions expressed in this Reply Declaration, I relied upon my education and experience in the relevant field of art, and have considered the viewpoint of a POSITA, as of August 19, 2002. I have also considered:

- a) the documents listed above,
- b) any additional documents and references cited in the analysis below,
- c) the relevant legal standards, including the standard for obviousness, and
- d) my knowledge and experience based upon my work in this area as described below.

5. I understand that claims in an IPR are given their broadest reasonable interpretation in view of the patent specification and the understandings of a POSITA. I further understand that this is not the same claim construction standard as one would use in a District Court proceeding. My analysis presented herein would be the same under the claim construction standard used in a District Court proceeding

II. LEVEL OF ORDINARY SKILL IN THE PERTINENT ART

6. As I stated in my previous Declaration, in my opinion, the level of a person of ordinary skill in the art needed to have the capability of understanding of computer programming and wireless communications applicable to the '748 Patent is (i) a bachelor's degree in computer science, or computer engineering, or (ii) equivalent industry or trade school experience in programming software

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applications. Lack of work experience can be remedied by additional education, and vice versa. Such academic and industry experience would be necessary to appreciate what was obvious and/or anticipated in the industry and what a person of ordinary skill in the art would have thought and understood at the time. I believe I possess such experience and knowledge, and am qualified to opine on the '748 Patent. Ex. 1005, ¶ 39. I understand that Dr. Hale has used the same definition in his analysis. Ex. 2006, ¶ 13. Thus, for purposes of this Reply Declaration, I have again applied the level of ordinary skill that I proposed in my first Declaration.

III. DETAILED INVALIDITY ANALYSIS

7. As detailed in my first Declaration, I have considered the scope and content of the prior art and any potential differences between the claimed subject matter and the prior art. I conducted my analysis as of the claimed priority date of the '748 Patent: August 19, 2002. I have also considered the level of ordinary skill in the pertinent art as of that date. I previously described in detail below the scope and content of the prior art, as well as any differences between the claimed subject matter and the prior art, on an element-by-element basis for each Challenged Claim of the '748 Patent. Based on my previous analysis, and considering Dr. Hale's arguments and the Patent Owner's arguments, I maintain my previous finding that that the differences between the claims of the '748 Patent

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