

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<i>In re</i> patent of Erikson	§	Petition for <i>Inter Partes</i> Review
	§	
U.S. Patent No. 6,622,018	§	Attorney Docket No.: 52959.48
	§	Customer No.: 27683
Issued: September 16, 2003	§	
	§	Real Party in Interest:
Title: Portable Device Control	§	Apple Inc.
Console with Wireless Connection	§	
	§	

**Declaration of Henry H. Houh, Ph.D.**  
**Under 37 C.F.R. § 1.68**

## Table of Contents

I. Introduction.....	4
II. Qualifications and Professional Experience .....	6
III. Level of Ordinary Skill in the Art .....	19
IV. Relevant Legal Standards .....	21
V. The '018 Patent.....	22
A. Overview.....	22
B. History of the '018 Patent.....	28
VI. Claim Construction.....	30
VII. Challenges.....	31
VIII. Claims 1-7 and 9 are invalid under 35 U.S.C § 103 over Leichiner in view of the Idiot's Guide .....	31
A. Overview of Leichiner.....	32
B. Overview of the Idiot's Guide .....	34
C. Reasons to Combine Leichiner and the Idiot's Guide.....	37
D. Detailed Analysis.....	42
IX. Challenge 2: Claim 8 is obvious under 35 U.S.C § 103 over Leichiner in view of the Idiot's Guide and in further view of Dara-Abrams .....	102
A. Overview of Dara-Abrams .....	102
B. Reasons to Combine Leichiner, the Idiot's Guide, and Dara-Abrams.....	104
C. Detailed Analysis.....	110
X. Challenge 3: Claim 10 is obvious under 35 U.S.C § 103 over Leichiner in view of the Idiot's Guide and Bell.....	116
A. Overview of Bell .....	116
B. Reasons to Combine Leichiner and Bell .....	117

C. Detailed Analysis.....	120
XI. Challenge 4: Claims 11-17, 19, 21-22, 24-25, and 27 are obvious under 35 U.S.C § 103 over Leichiner in view of the Idiot’s Guide and in further view of Osterhout.....	125
A. Overview of Osterhout .....	126
B. Reasons to Combine Leichiner, the Idiot’s Guide, and Osterhout.....	127
C. Detailed Analysis.....	128
XII. Challenge 5: Claims 18 and 26 are obvious under 35 U.S.C § 103 over Leichiner in view of the Idiot’s Guide and in further view of Osterhout and Dara-Abrams .....	177
A. Detailed Analysis.....	177
XIII. Challenge 6: Claims 20 and 23 are obvious under 35 U.S.C § 103 over Leichiner in view of the Idiot’s Guide and in further view of Osterhout and Bell .....	178
A. Detailed Analysis.....	179
XIV. Declaration.....	179

## **I. Introduction**

I, Henry H. Houh, Ph.D., declare:

1. I am making this declaration at the request of Apple Inc. in the matter of the *Inter Partes* Review of U.S. Patent No. 6,622,018 (“the ’018 Patent”) to Erekson.

2. I am being compensated for my work in this matter. My compensation in no way depends upon the outcome of this proceeding.

3. In the preparation of this declaration, I have studied:

- (1) The ’018 Patent, **Exhibit APPL-1001**;
- (2) The prosecution history of the ’018 Patent, **Exhibit APPL-1002**;
- (3) THE COMPLETE IDIOT’S GUIDE TO PALMPILOT AND PALM III, (the “Idiot’s Guide”), **Exhibit APPL-1008**;
- (4) Dyszel, Bill, (“PalmPilot for Dummies”), PALMPILOT FOR DUMMIES (1998), **Exhibit APPL-1009**;
- (5) U.S. Patent No. 6,456,892 (“Dara-Abrams”), **Exhibit APPL-1010**;
- (6) U.S. Patent No. 7,149,506 (“Osterhout”), **Exhibit APPL-1011**;
- (7) Microsoft Computer Dictionary (4<sup>th</sup> Edition), obtained from the Library of Congress, **Exhibit APPL-1012**;

- (8) Haartsen, Jaap, *et al.*, “Bluetooth: Vision, Goals, and Architecture,” ACM SIGMOBILE Mobile Computing and Communications Review, Vol. 2, Issue 4, pp. 38-45, October 1998, (“Haartsen”), **Exhibit APPL-1013**;
- (9) Collins, Corbin, (“Little Palm Book”), THE LITTLE PALM BOOK (1999), **Exhibit APPL-1019**;
- (10) Wayback Machine Archive Page, “PalmRemote for PalmPilot,” (“PalmRemote”), Wayback Machine Date of October 7, 1999, <https://web.archive.org/web/19991007013442/http://hp.vector.co.jp/authors/VA005810/remocon/premocce.htm>, **Exhibit APPL-1020**;
- (11) Wayback Machine Archive Page, “Welcome,” (“OmniRemote Welcome Page”), Wayback Machine Date of April 29, 1999, <https://web.archive.org/web/19990429234910/http://www.pacificneotek.com>, **Exhibit APPL-1021**;
- (12) Wayback Machine Archive Page, “Products Page,” (“OmniRemote Products Page”), Wayback Machine Date of March 3, 2000, [https://web.archive.org/web/20000303092251fw\\_/http://www.pacificneotek.com:80/products.htm](https://web.archive.org/web/20000303092251fw_/http://www.pacificneotek.com:80/products.htm), **Exhibit APPL-1022**;
- (13) Wayback Machine Archive Page, “Products of the Year 1998

# 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.