UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ZTE (USA) Inc.,
Samsung Electronics Co., Ltd., and
Samsung Electronics America, Inc.,

Petitioner

v.

Fundamental Innovation Systems International LLC,

Patent Owner

DECLARATION OF JAMES T. GEIER

Case No. IPR2018-00110

TABLE OF CONTENTS

I. Introduction

1.   My name is James T. Geier. I submit this declaration on behalf of ZTE (USA) Inc., Samsung Electronics Co., Ltd., and Samsung Electronics America, Inc. ("Petitioner"), which I understand are challenging the validity of claims 1-18 ("the challenged claims") of U.S. Patent No. 8,624,550 ("the 550 patent") in a petition for inter partes review.

2.   I have been asked to provide an opinion on the validity of the challenged claims. In my opinion, U.S. Patent No. 7,360,004 ("Dougherty") anticipates claims 1-3, 9-12, and 18 of the '550 patent, and the combination of Dougherty and U.S. Patent No. 6,625,738 ("Shiga") renders obvious claims 4-8 and 13-17 of the '550 patent.

II. Background/Qualifications

3.   Appendix A to this declaration is my curriculum vitae, which sets forth my qualifications.

4.   I received a B.S. degree in Electrical Engineering from California State University in 1985. In 1990, I received an M.S. degree in Electrical Engineering from the Air Force Institute of Technology.

5.   I have 30 years' experience in the communications industry designing, analyzing, and implementing communications systems, wireless networks, and mobile devices. I have authored over a dozen books on mobile and wireless topics,

including Designing and Deploying 802.11 Wireless Networks (Cisco Press), Implementing 802.1X Security Solutions (Wiley), Wireless Networking Handbook (New Riders) and Network Re-engineering (McGraw-Hill). I have been an active participant within standards organizations, such as the IEEE 802.11 Working Group and the Wi-Fi Alliance. I have served as Chairman of the IEEE Computer Society, Dayton Section, and various conferences.

6.   I have significant experience with USB, which includes reviewing and analyzing USB specifications and designing and integrating corresponding USB interfaces within various applications. Since 1998, I have been analyzing the operation and limitations of USB in relation to mobile devices that I have designed. For example, during 1998-1999, I analyzed and tested the integration of USB into Monarch Marking Systems bar code scanners and printers. Also, during 2008-2009, I integrated USB into a microcontroller-based monitoring and control system, which involved writing software drivers to interface the microcontroller to the functionality of a USB port. In addition, I have analyzed how USB impacts the operation and specifications of many other devices, such as wireless IP phones and patient heart monitors, which I've been part of designing.

III.   Documents and Materials Considered

7.   Appendix B to this declaration lists materials that I have considered in rendering the opinions that I express in this declaration. In forming my opinions, I

have also relied on my experience and education.

IV. Legal Principles

8.   I am not an attorney. I offer no opinions on the law. But counsel has informed me of legal standards that apply to the issue of patent validity. I have applied these standards in arriving at my conclusions.

9.   I understand that in an inter partes review the petitioner has the burden of proving a proposition of unpatentability by a preponderance of the evidence. I understand this standard is different from the standard that applies in a district court, where I understand a challenger bears the burden of proving invalidity by clear and convincing evidence.

10.   I understand that a patent claim is invalid based on anticipation if a single prior art reference discloses all of the features of that claim, and does so in a way that enables one of ordinary skill in the art to make and use the invention. Each of the claim features may be expressly or inherently present in the prior art reference. I understand that if the prior art necessarily functions in accordance with, or includes a claim's feature, then that prior art inherently discloses that feature. I have relied on this understanding in expressing the opinions set forth below.

11.   I understand that a prior art reference describes the claimed invention if it either expressly or inherently describes each and every feature set forth in the

DOCKET ALARM

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.

fastcase
Smarter legal research.