UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE, INC.,
Petitioner

v.

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

IPR2018-00580
PATENT 8,724,622

DECLARATION OF WILLIAM C EASTTOM II

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Petitioners,

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A. No prima facie obviousness for dependent Claims 4, 5 and 12 17
1. Zydney distinguishes voice containers from voice messages 17
2. Zydney does not render obvious "wherein the instant voice message includes an object field" (claims 3, 4, 5 and 12) 19
3. Zydney teaches away from "wherein the instant voice message includes an action field identifying one of a predetermined set of permitted actions requested by the user" (claims 4 and 5) 21

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B. Zydney does not render obvious "wherein the messaging system receives connection object messages from the plurality of instant voice message client systems, wherein each of the connection object messages includes data representing a state of a logical connection with a given one of the plurality of instant voice message client systems" (claims 24-26).....22
1. Zydney expressly teaches away from use of "connection objects" as defined in the '622 patent.....23
2. No motivation to combine Zydney with Hethmon because Zyndey's transport mechanism would not have worked with HTTP at that time 24

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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 4, 5, 12, and 24-26 ("Challenged Claims") as obvious in light of the following referenced cited in IPR2017-01668:

- Ex. 1113, PCT Patent Application No. PCT/US00/21555 ("*Zydney*")
- Ex. 1114, Excerpts from Debra Littlejohn Shinder, Computer Networking Essentials ("*Shinder*")
- Ex. 1109, Paul S. Hethmon, Illustrated Guide to HTTP ("*Hethmon*")
- Ex. 1118, Excerpts from *Microsoft Press Computer Dictionary* (1991) ("Microsoft (1991)")
- Ex. 1119, U.S. Patent No. 6,173,323 ("*Moghe*")

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.

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