

EXHIBIT 2

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

QUALCOMM INCORPORATED,

Plaintiff,

vs.

APPLE INCORPORATED,

Defendant.

CASE NO. 3:17-cv-2402-CAB-MDD

**DECLARATION OF JOHN
VILLASENOR, PH.D. REGARDING
CLAIM CONSTRUCTION**

Judge: Cathy Ann Bencivengo

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16	3. means for analyzing the physiological state data collected
17	from the user of the mobile device (Claim 26)..... 34
18	4. means for selecting content from a plurality of predefined
19	content to deliver to the mobile device at least partially
20	based on the physiological state data collected from the
21	user, the selected content not including the physiological
22	state data collected from the user (Claim 26)..... 40
23	B. U.S. Patent No. 8,768,865..... 45
24	1. The intrinsic record provides sufficient guidance to
25	understand both “condition” and “pattern” 47
26	2. The relationship between the claimed “condition” (Claims
27	1, 5, 21) and “pattern” (Claims 1, 3, 4, 5, 6, 21, 22) is
28	understandable to a person of ordinary skill in the art 50

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C. U.S. Patent No. 8,447,132..... 53

1. “object detection unit” 56

2. “correction unit” 63

3. “means for making a determination that a first group of adjacent pixels in a digital image represents a physical object of a predetermined type” 64

1 **I. INTRODUCTION**

2 1. My name is John Villasenor. I have been retained by counsel for
3 Plaintiff, Qualcomm, Inc. (“Qualcomm”), as an expert in this litigation to provide
4 opinions concerning certain claim terms in U.S. Patent No. 8,971,861 (the ‘861
5 Patent), U.S. Patent No. 8,768,865 (the ‘865 Patent), and U.S. Patent No. 8,447,132
6 (the ‘132 Patent).

7
8 2. I am being compensated at a rate of \$800 per hour for time spent on this
9 matter. I am also being reimbursed for expenses that I incur during the course of this
10 work. My compensation is not contingent upon the results of my study, the substance
11 of my testimony, or the outcome of this case.

12 **II. BACKGROUND AND QUALIFICATIONS**

13
14 3. My work focuses on innovative, high-performance communications,
15 networking, media processing, and computing technologies and their broader
16 implications. Since well before the respective priority dates of the ‘132, ‘865, and
17 ‘861 Patents, I have performed research in areas including image processing, machine
18 learning, and delivering content to mobile devices. For example, at UCLA I created
19 and have on many occasions taught courses in image processing that address, among
20 other topics, techniques used in object detection and dynamic range correction. I have
21 also performed research in image processing, and published many papers on various
22 aspects of image processing. I have also done research in machine learning, with
23 substantial experience developing algorithms that adapt in response to changing
24 characteristics in the environment as reflected, for example, through data measured
25 through sensors. In addition, I have performed research in relation to mobile devices
26 since the 1990s. This research included multiple aspects of mobile devices, including
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