

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Intel Corporation
Petitioner

v.

Qualcomm Incorporated
Patent Owner

Case IPR2019-00128
Patent 9,154,356

DECLARATION OF DR. DANIEL FOTY

I declare that all statements made herein on my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

By:



Daniel Foty, Ph.D.

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1. I am making this declaration at the request of Qualcomm Incorporated (“Qualcomm” or “Patent Owner”) in the matter of the *Inter Partes* Review of U.S. Patent No. 9,154,356 (“the ’356 Patent”).

2. I am being compensated for my work in this matter at my standard hourly rate of \$475 for consulting services. My compensation in no way depends on the outcome of this proceeding.

3. In preparing this Declaration, I considered all materials cited in the body of this Declaration, which includes but is not limited to the following:

- a. The ’356 Patent (Ex. 1301) and its file history;
- b. Petition for *Inter Partes* Review of U.S. Patent No. 9,154,356, IPR2019-00128 (Paper 3) (“Petition”) and materials cited therein;
- c. The Declaration of Dr. Patrick Fay (Ex. 1302) and materials cited therein;
- d. United States Patent Application Publication No. 2012/0056681 (Ex. 1335) (“Lee”)
- e. Feasibility Study for Further Advancements for E-UTRA (LTE-Advanced) (3GPP TR 36.912 version 9.1.0 Release 9) (Ex. 1304) (“Feasibility Study”)

I. PROFESSIONAL BACKGROUND

4. I have thirty years of experience as an engineer, scientist, and consultant in the electronics industry, including in the areas of integrated circuit (IC) design, layout, structure, and operation, in RF technology for wireless communications, in technology development, and in technical and business development. I have

authored or co-authored four books and some sixty papers (published in refereed journals and refereed conference proceedings), mostly on various aspects of integrated circuit technology and RF/wireless technology. I have also given some eighty lectures and presentations (many of them invited) at various conferences and other similar fora, and have given a number of invited keynote talks on next-generation wireless technologies at a variety of conferences and events throughout the world. I have also served extensively as an expert witness in a wide variety of matters over the past 15+ years.

5. My qualifications to testify as an expert in the field of integrated circuit technology and RF/wireless technology, including my expertise in the structure and operation of RF transceivers and related structures, are described in my *curriculum vitae*, which is attached at Appendix A.

II. RELEVANT LEGAL STANDARDS

6. I have been asked to provide my opinion as to whether claims [insert claims] of the '356 Patent are anticipated by the alleged prior art or would have been obvious to a person of ordinary skill in the art ("POSITA") at the time of the alleged invention, in view of the alleged prior art.

7. I am an engineer and scientist by education and profession. The opinions I am expressing in this Declaration involve the application of my engineering knowledge and experience to the evaluation of certain alleged prior art

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