UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MICROSOFT CORPORATION,
Petitioner,

v.

UNILOC 2017 LLC,
Patent Owner.

U.S. Patent No.: 7,075,917
Issued: Jul. 11, 2006
Application No.: 09/973,312
Filed: Oct. 9, 2001
Title: WIRELESS NETWORK WITH A DATA EXCHANGE ACCORDING TO
THE ARQ METHOD

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<u>DECLARATION OF FRIEDHELM RODERMUND</u>

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I, Friedhelm Rodermund, do hereby declare as follows:

I.   INTRODUCTION AND ENGAGEMENT

1.   I have been retained in this matter by Microsoft Corporation ("Petitioner" or "Microsoft") to provide testimony regarding 3GPP's standard business practices for record keeping and publishing technical specifications, change request proposals, reports, and other documents developed during the course of standards activities carried out by the 3rd Generation Partnership Project ("3GPP") and the European Telecommunications Standards Institute ("ETSI").

2.   As an ETSI Project Manager and Secretary, from June 1998 to December 2004, I have personal knowledge of 3GPP's standard business and records keeping practices during that period. Based on my experience, personal knowledge, and review of 3GPP's business records, I am able to testify regarding the authenticity of certain documents published by 3GPP and the timing of their publication.

3.   I am being compensated for my time spent on this matter. My fee is not contingent on the outcome of this or any matter, or on the content of any of the testimony I give in this declaration. I have no financial interest in Petitioner.

4.   I have been informed that Uniloc 2017 LLC (hereinafter referred to as "Patent Owner") is asserting, and alleges ownership of, U.S. Patent No. 7,075,917 ("the '917 Patent") (Ex. 1001). I have no financial interest in the Patent Owner or

the '917 patent nor to my recollection have I ever had any contact with the Patent

Owner.

II. BACKGROUND AND QUALIFICATIONS

5. I have more than 20 years of experience working with standards

development organizations including 3GPP, ETSI, and the Open Mobile Alliance

("OMA"). I have particular experience with the development of standards related

to cellular telecommunications, including the standards for the Universal Mobile

Telecommunications System ("UMTS") network[1]. UMTS is the 3G network

developed by 3GPP, which also published and maintains all standards documents

relating to UMTS.

6. From June 1998 to December 2004, I worked at ETSI as a project

manager for various ETSI Special Mobile Group ("SMG") and 3GPP working

groups. First, I served as a secretary of SMG4 "Data Services" and SMG8 "Base

Stations Testing." Then, as a project manager with the ETSI Mobile Competence

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[1] I note that the 3GPP standard for the "UMTS network" and any other cellular

networks standards include technical specifications prescribing implementation

details for all aspects of the network, including e.g. for UMTS radio network

controllers or "RNCs" and user equipment or "UE," such as mobile devices and

other user terminals.

Center ("MCC"), I supported establishing 3GPP as the new international standards development organization for cellular telecommunications. UMTS was the first standard generation developed by 3GPP. One of my roles was acting as Secretary for 3GPP's Technical Specifications Group Terminals, Working Group ("T2"), the group which played a leading role in the creation of standards for Multimedia such as the Multimedia Messaging Service ("MMS"). Later, I was a secretary of the highest-level Technical Specifications Group Terminals which was besides other things responsible for the development of UMTS test specifications. I edited all technical specifications produced by my working groups and presented results to the parent body for approval. I attended all meetings (apart from some sub-working group meetings) and was also responsible for compiling meeting reports, for handling all the meeting documents, and managing the work plan. It was also my role to guide the groups and to advise the chairmen regarding 3GPP working methods and procedures including document handling, and to make sure delegates were aware of their company's obligations under the 3GPP Intellectual Property Right policy.

7.   As part of my responsibilities at ETSI, I acted as a 3GPP custodian of records by personally managing 3GPP's public FTP folders, which I used to make publicly accessible various 3GPP documents, including versions of 3GPP specifications, technical reports, liaison statements, change requests, contributions,

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