

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,
Petitioner,

v.

UNILOC 2017 LLC,
Patent Owner.

IPR2019-01116
Patent 7,016,676 B2

SUPPLEMENTAL DECLARATION OF PETER RYSAVY

MICROSOFT - EXHIBIT 1013
MICROSOFT CORP. v.
UNILOC 2017 LLC
IPR2019-01116

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I, Peter Rysavy, do hereby declare as follows:

I. INTRODUCTION AND ENGAGEMENT

1. I have been retained as an independent expert on behalf of Microsoft Corporation in connection with the above-captioned Petition for Inter Partes Review (“IPR”) to provide my analyses and opinions on certain technical issues related to U.S. Patent No. 7,016,676 (hereinafter “the ’676 Patent”).

2. Specifically, I have been asked to provide my opinions regarding whether claims 1, 2, and 5 (each a “Challenged Claim” and collectively the “Challenged Claims”) of the ’676 Patent would have been obvious to a person having ordinary skill in the art (“POSITA”) at the time the application that issued into the ’676 patent was filed, August 8, 2001.

3. It is my opinion that each Challenged Claim would have been obvious to a POSITA after reviewing the prior art discussed herein.

4. This Supplemental Declaration is in addition to the first declaration that I prepared and submitted earlier in the IPR proceeding relating to the ’676 patent, signed and dated May 29, 2019 (“First Declaration” or “Rysavy Declaration”). In the First Declaration I explained the unpatentability of the challenged claims. In this supplemental declaration, I respond to points raised by Uniloc in its Response Brief (“POR”), particularly those points drawing on the understanding of a POSITA, as explained in my First Declaration.

II. BACKGROUND AND QUALIFICATIONS

5. The First Declaration explains my education and professional background in paragraphs 4-12. With this Reply Declaration, I attach an updated version of my CV, as Appendix 1.

III. STANDARDS

6. Paragraphs 18-24 of my First Declaration lay out my understanding of certain patent law standards.

IV. MATERIALS CONSIDERED AND INFORMATION RELIED UPON REGARDING '676 PATENT

7. In preparing my First Declaration, I reviewed the following materials, each of which is the sort of material that experts in my field would reasonably rely upon when forming their opinions. I also considered other background materials that are referenced in that declaration.

Ex. No.	Description
1001	U.S. Patent No. 7,016,676, "METHOD, NETWORK AND CONTROL STATION FOR THE TWO-WAY ALTERNATE CONTROL OF RADIO SYSTEMS OF DIFFERENT STANDARDS IN THE SAME FREQUENCY BAND," issued March 21, 2006 (the " '676 patent ")
1002	File History for U.S. Patent No. 7,016,676, Application No. 10/089,959 (" '676 FH ")
1003	Plaintiff's "Disclosure of Asserted Claims And Infringement Contentions", dated January 4, 2019, and including Exhibit A thereto (" UNILOC Contentions ")

1005	Excerpts of “Webster’s New World College Dictionary, 4 th Edition”, © 1999 by Macmillan USA (“ Webster’s ”)
1006	“HomeRF: Wireless Networking for the Connected Home”, by Kevin J. Negus <i>et al.</i> , IEEE Personal Communications, Vol. 7, Issue 1, pgs. 20-27, Feb. 2000. (“ HomeRF ”)
1007	Declaration of Gerard P. Grenier, including Exhibit A thereto, signed and dated February 22, 2019 (“ Grenier Dec. ”)
1008	“HomeRF: Bringing Wireless Connectivity Home”, by Jim Lansford, Technical Committee Chair for the Home RF Working Group, March 9, 1999 (“ HomeRF Tutorial ”)
1009	“HomeRF™ Working Group 3rd Liaison Report”, by Tim Blaney of Commcepts, July 1998 (“ HomeRF Liaison Report ”)
1010	Declaration of Christina Boyce, including Exhibits A-D thereto, signed and dated March 11, 2019 (“ Boyce Dec. ”)
1011	Declaration of Rene DelaRosa, including Exhibits A and B thereto, signed and dated May 28, 2019 (“ DelaRosa Dec. ”)
1012	U.S. Patent No. 6,937,158, “METHOD AND APPARATUS FOR WIRELESS COMMUNICATION BETWEEN ELECTRONIC DEVICES,” filed December 29, 1999 and issued August 30, 2005 (“ Lansford ”)
1017	U.S. Patent No. 7,280,580, “HOP SEQUENCE ADAPTATION IN A FREQUENCY-HOPPING COMMUNICATIONS SYSTEM,” filed October 15, 1999, and issued October 9, 2007 (“ Haartsen ”)
1018	Shared Wireless Access Protocol (Cordless Access) Specification SWAP-CA, Revision 1.3 draft 20000229, dated February 29, 2000 by The HomeRF™ Technical Committee (“ HomeRF SWAP Spec. 1.3 ”)
1019	Declaration of Adrian Stephens, including Appendices A-R thereto, signed and dated May 16, 2019 (“ Stephens Dec. ”)

8. In preparing this Supplemental declaration, I have reviewed those materials, as well as the Petition, the Institution Decision, and Uniloc’s Patent

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