

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,
Petitioner,

v.

UNILOC 2017 LLC,
Patent Owner.

IPR2019-01471
Patent 6,836,654

SECOND DECLARATION OF HENRY HOUH

MICROSOFT - EXHIBIT 1020
MICROSOFT CORP. v.
UNILOC 2017 LLC
IPR2019-01471

I, Henry Houh, do hereby declare as follows:

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. 6,836,654 (hereinafter “the ’654 patent”).

2. This Second Declaration is in addition to the first declaration, Ex. 1010, that I prepared for the ’654 patent PTAB proceedings, signed and dated August 8, 2019 (Ex. 1010). In this Second Declaration, I refer back to and incorporate analysis provided in Ex. 1010.

3. Among other things, Ex. 1010 lays out my education and professional background in paragraphs 4-20, and Appendix 1 (my CV), as well as my analysis of the ’654 patent and the prior art relied on therein. Therefore, I will not repeat this information here.

4. In addition to the materials identified in paragraph 13 of Ex.1010, in connection with my work on this matter, I have reviewed the February 11, 2020, Institution Decision and the May 5, 2020, Patent Owner Response (Paper 9) submitted in this IPR proceeding.

5. With this Second Declaration, I wish to respond to three discrete issues raised by the Patent Owner Response (“POR”).

6. First, Patent Owner relies on the statement in the Nokia Manual that a Nokia Communicator Device can recognize five SIM cards. POR, p. 10. A PHOSITA would understand that notwithstanding the Manual's statement about five SIM cards, in many cases the owner of the device will use only a single SIM card with the device. For example, a PHOSITA would understand that a phone with no linked SIM cards would not be able to make subscriber calls, and that at least one linked SIM card would enable the Nokia device to be able to be used to make such calls. A PHOSITA would understand that in many cases, the owner of the device would have no need to link or otherwise use a second SIM card. Additionally, a PHOSITA would understand that multiple linked SIM cards only allow the ability to access different phone accounts.

7. Second, Patent Owner argues that a PHOSITA would not have been motivated to combine Nokia and Barvesten and further that Barvesten teaches away from Nokia. POR, p. 12. I disagree.

8. As I explained in Ex. 1010, the teachings of Nokia and Barvesten are completely complementary as they both seek to improve security of mobile devices. Patent Owner contends that if Barvesten's teachings were implemented in Nokia, the network operator would not have been able to control when and how the subsidized devices are used. POR, p. 12.

9. Patent Owner's reasoning is flawed. A PHOSITA would understand that the device subsidy applies to the device, not the SIM card that represents the account for a phone line. A PHOSITA would further understand that a network operator offering a device capable of supporting multiple SIM cards could be more profitable since the network operator would only need to subsidize one device and further SIM cards linked to the same device require no additional subsidy while reaping additional monthly line charges.

10. Incorporating the teachings of Barvesten into the Nokia device would protect the device and each of the accounts represented by each linked SIM card, thereby increasing security and reducing the potential for unauthorized and/or fraudulent use of the device and/or the linked SIM cards' phone accounts.

11. As with Nokia, a PHOSITA would understand Barvesten to disclose the scenario where a single SIM card is linked to a particular device. For example, Barvesten discloses that the invention stores an IMSI code "for a given number (n) of access units (SIM) ..." Ex. 1006, 2:29-30. A PHOSITA would understand that the "n" could be one, such that there would be a single SIM card associated with the device.

12. Barvesten goes on to explain that "it is possible to, apart from storing of the identity of the own [*sic*] SIM-card, i.e. its IMSI-code, also store the IMSI-codes of a number of other SIM-cards which should have a simplified or

prioritized access to the terminal unit or the telephone 1.” *Id.*, 4:33-38. There is nothing about this disclosure that would require multiple SIM cards or multiple IMSI-codes to be used in connection with Barvesten. Instead, a PHOSITA would readily understand that Barvesten discloses the scenario of a single SIM card being linked to a single device.

13. To conclude, nothing in Patent Owner’s Response changes my opinion that claims 10-20 of the ’654 patent would have been obvious to a PHOSITA for the reasons stated herein and in my First Declaration.

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