

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,
Petitioner,

v.

UNILOC 2017 LLC,
Patent Owner.

Declaration of Stuart J. Lipoff

TABLE OF CONTENTS

I. Introduction.....1

II. Qualifications and Background1

III. Summary of Opinions.....6

IV. Technology of the '952 Patent.....7

V. Legal Standard10

 A. Obviousness Under 35 U.S.C. § 103.....10

VI. Person of Ordinary Skill in the Art.....11

VII. Unpatentability12

 A. Ground 113

 1. Overview of *Paulson*13

 2. Overview of *Surprenant*15

 3. Rationale for Combining *Paulson* and *Surprenant*18

 4. The Combination of *Paulson* and *Surprenant* Discloses Every Feature of the Challenged Claims23

 a. Claim 9.....23

 b. Claim 10.....51

 c. Claim 11.....54

 d. Claim 12.....56

 B. Ground 2.....57

 1. Overview of *Beenau*.....57

 2. Rationale to Combine *Paulson* and *Surprenant* with *Beenau*.....58

3.	The Combination of <i>Paulson</i> and <i>Surprenant</i> in View of <i>Beenau</i> Discloses Every Feature of the Challenged Claims	62
a.	Claim 9.....	62
b.	Claims 10-12.....	66
C.	Ground 3.....	66
1.	Overview of <i>McConnell</i>	66
2.	The Combination of <i>Paulson</i> and <i>Surprenant</i> in View of <i>McConnell</i> Discloses Every Feature of Claim 11.....	67
a.	Claim 11.....	67
D.	Ground 4.....	69
1.	The Combination of <i>Paulson</i> , <i>Surprenant</i> , and <i>Beenau</i> in View of <i>McConnell</i> Discloses Every Feature of Claim 11	69
a.	Claim 11.....	69
VIII.	Conclusion.....	70

I. Introduction

1. I, Stuart J. Lipoff, submit this declaration to state my opinions on the matters described below.

2. I have been retained by Google, LLC, as an independent expert in this proceeding before the United States Patent and Trademark Office.

3. I understand that this proceeding involves U.S. Patent No. 9,564,952 (“the ’952 patent”), and that I have been asked to provide my opinions as to the patentability or unpatentability of certain claims of the ’952 patent.

4. This declaration sets forth my opinions, which I have formed in this proceeding based on my study of the evidence; my understanding as an expert in the field; and my education, training, research, knowledge, and personal and professional experience.

5. I am being compensated for my time at the rate of \$375 per hour. This compensation is in no way contingent upon the nature of my findings, the presentation of my findings in testimony, or the outcome of this proceeding.

II. Qualifications and Background

6. I believe that I am well qualified to serve as a technical expert in this matter based upon my educational and work experience.

7. I understand that my curriculum vitae (“CV”) is being filed in this proceeding as Exhibit 1004.

8. I am currently the president of IP Action Partners Inc., which is a consulting practice serving the telecommunications, information technology, media, electronics, and e-business industries.

9. Through consulting projects, industry involvement, and educational studies, I have gained substantial experience with the technologies at issue in this proceeding. For example, throughout my career, I have been heavily involved in the study, analysis, evaluation, design, and implementation of systems and products involving wired and wireless communications. My wireless work has been wide ranging, and includes development of multiple access layer protocols used in today's IEEE 802.11 WiFi networks, and analysis of alternative cellular air interface technologies that led to Sprint PCS selecting CDMA as their technology of choice. I have worked with multiple domestic and international cellular services providers to assist in securing their license authorizations and developing plans for future services. I have also worked with manufacturers of cellular handsets and infrastructure equipment to evaluate their product offerings and recommend next generation products. My wired telecommunications work has been equally wide ranging, and includes projects for Mitel and Tadiran involving business telephone systems and the analysis of a next generation digital internet protocol multimedia nationally deployed telephone network.

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.