UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE INC.,

Petitioner

v.

LBT IP I LLC,

Patent Owner

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Inter Partes Review Case No. IPR2020-01192
U.S. Patent No. 8,421,618

SUPPLEMENTAL DECLARATION OF SCOTT ANDREWS

TABLE OF CONTENTS

I, Scott Andrews, hereby declare the following:

I.   INTRODUCTION

1.   I have been asked to respond to certain issues raised by Patent Owner in Patent Owner's Response dated June 1, 2021, and Motion to Amend dated June 1, 2021. All of my opinions expressed in my original declaration (Ex. 1003) remain the same. I have reviewed the relevant portions of the POR (Paper 17) and the relevant portions of the Motion to Amend (Paper 16) in connection with preparing this supplemental declaration.

2.   As part of my work and in forming my opinions in connection with this proceeding, I have reviewed the following materials. For any prior art listed below, it is my opinion persons of ordinary skill in my field would reasonably rely upon such prior art in forming opinions regarding the subject matter of this proceeding:

- Materials relied on for my previous Declaration;
- U.S. Patent No. 6,438,381 to Alberth, Jr. et al. ("*Alberth*") (Ex. 1076);
- U.S. Patent No. 6,985,811 to Gronemeyer ("*Gronemeyer*") (Ex. 1077);
- Any other materials I cite in support of this Declaration.

II.   OPINIONS REGARDING *SAKAMOTO*

3.   In my opinion, the '618 Patent describes periodically checking the availability of a GPS signal in a similar way to how *Sakamoto* teaches monitoring signal levels from GPS satellites "at the cycle set in advance." *Sakamoto*, [0037]. The '618 Patent specification describes "the tracking device 100 periodically checks

availability of GPS signal, e.g., perform a GPS signal acquisition to determine if a receive communication signal is above a first signal level." Ex. 1001, *'618 Patent*, 7:2-5, 9:48-56, Fig. 3 (Step 312).

4.   Similarly, *Sakamoto* teaches "at a cycle set in advance," a positioning control message ("satellite signal level request message") is transmitted from the positioning server 2 to the terminal 1 using the format depicted in Fig. 6. *Sakamoto*, [0037], Fig. 6; Ex. 1003, ¶ 137 ("*Sakamoto* teaches that position searching may be performed manually or automatically according to a 'cycle set in advance,' and that signal level detection is performed during a set 'measurement time.'"), ¶ 138. As is known by a POSITA "position searching" is a process that involves much more processing of the GPS signals than simply measuring their level, so, while *Sakamoto* does not describe exactly what portions of the GPS receiver are activated to measure the signal level, a POSITA would have understood, as I noted in my deposition (Ex. 2003, 20:25-21:20, 29:15-18), that at least some circuits in the GPS receiver are activated "at the cycle set in advance" to measure the signal level.

5.   Turning back to *Sakamoto*, in response to the satellite signal level request message, positioning control unit 13 of communication terminal 1 causes satellite signal level detection unit 15 of terminal 1 to "monitor the signal level from the GPS satellite during the measurement time specified in the satellite signal level request message," and terminal 1 calculates the "result of the average value of the

signal level." *Sakamoto*, [0037]. Terminal 1 prepares a satellite signal level response message using the format depicted in Fig. 7 and transmits said response message to the remote server 2. *Id*, [0037], Fig. 7.

6.   Positioning server 2 receives the satellite signal level response message from terminal 1 and selects an operating mode for terminal 1 based on a level of the GPS signal included in the satellite signal level response message. As I discussed in my Declaration (Ex. 1003), *Sakamoto* teaches terminal 1 transitions to one of the normal sensitivity mode, the high sensitivity mode, or the "stop-position searching" mode, depending on the satellite signal level measured during the measurement time specified in the satellite signal level request message. Ex. 1003, ¶¶ 107, 132-133.

7.   When the terminal 1 is in the stop-position searching mode, GPS positioning is not performed. At the cycle set in advance the terminal 1 measures GPS signal levels and either remains in its current operating mode or transitions to another mode based on the GPS signal level measurements. In the case where the terminal 1 is in the stop-position searching mode and at the cycle set in advance, the GPS signal level is measured and if has improved enough to perform GPS position searching, the terminal 1 then transitions to either the high sensitivity mode (if the signal level is low) or the normal sensitivity mode (if the signal level is high), based on the signal level measurements. As discussed above, in the high sensitivity mode and normal sensitivity mode, the GPS receiver of terminal 1 performs positioning

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