

Reply Declaration in Support of Petition for IPR of U.S. Patent No. 7,834,586

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TCT MOBILE (US), INC.; TCT MOBILE (US) HOLDINGS, INC.; HUIZHOU
TCL MOBILE COMMUNICATION CO. LTD.; AND TCL COMMUNICATION,
INC.

Petitioners

v.

FUNDAMENTAL INNOVATION SYSTEMS INTERNATIONAL LLC,
Patent Owner

U.S. Patent No. 7,834,586

**REPLY DECLARATION OF R. JACOB BAKER, PH.D., P.E.,
REGARDING U.S. PATENT NO. 7,834,586**

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I. INTRODUCTION

1. My name is R. Jacob Baker Ph.D., P.E., and I am a Professor of Electrical and Computer Engineering at the University of Nevada, Las Vegas. I have prepared this reply declaration as an expert witness on behalf of Petitioners TCT MOBILE (US), INC.; TCT MOBILE (US) HOLDINGS, INC.; HUIZHOU TCL MOBILE COMMUNICATION CO. LTD.; and TCL COMMUNICATION, INC.

2. My opinions and the bases for my opinions are set forth below.

3. For my efforts in connection with the preparation of this reply declaration, I have been compensated at my usual and customary rate for this type of consulting activity. My compensation is in no way contingent on the results of these or any other proceedings related to the '586 patent.

II. EDUCATION BACKGROUND, PROFESSIONAL EXPERIENCE, AND OTHER QUALIFICATIONS

4. My education, background, and professional qualifications are set forth in Paragraphs 4-20 of the previous declaration that was submitted in connection with this proceeding (which I understand has been designated as Exhibit 1003).

III. ASSIGNMENT AND MATERIALS CONSIDERED

5. I have been asked to provide some additional opinions and elaboration regarding Patent Owner's contentions regarding Morita's phone, the USB specification, prior art relating to the SE1 signal, the state of the art, and what one of

ordinary skill in the art would have known as of the effective filing date of the '586 Patent.

6. I reserve the right to amend and supplement this declaration in light of additional evidence, arguments, or testimony presented during this IPR or related proceedings on the '586 Patent.

7. In forming the opinions set forth in this declaration, I have considered and relied upon my education, knowledge of the relevant field, knowledge of scientific and engineering principles, and my experience. To the extent applicable to the opinions I render here, I have also reviewed and considered the materials listed in my prior declaration (Exhibit 1003), the materials that I cite herein, and the following additional materials:

<i>Exhibit</i>	<i>Description</i>
1019	Japanese Patent Application No. 2000-165513A (“Morita”) with updated Certificate of Accuracy
1020	Japanese Patent Application No. 2000-165513A (“Morita”) with corrected Certificate of Accuracy
1021	Deposition Transcript of Dr. Kenneth Fernald, taken on February 18, 2022
1022	U.S. Des. Patent No. 353,371 (“Delhaes”)
1023	U.S. Des. Patent No. 335,861 (“Tattari”)
1024	U.S. Des. Patent No. 349, 899 (“Siddoway”)
1025	U.S. Patent No. 6,708,278 (“Howard”)

<i>Exhibit</i>	<i>Description</i>
1027	IBM, Personal System/2, Model 95 XP 486, Technical Reference (1990)
2023	Declaration of Kenneth Fernald, Ph.D. in Support of Fundamental Innovation Systems International LLC's Patent Owner Response And materials cited in Ex. 2023

IV. UNDERSTANDING OF THE LAW

8. Paragraphs 21-67 of my prior declaration (Ex. 1003) included a section discussing my understanding of the law. I am not an attorney, but I have been instructed in and applied the law as described in my prior declaration.

V. LEVEL OF SKILL IN THE ART

9. Paragraph 68 of my prior declaration (Ex. 1003) include my understanding of the level of skill in the art. I have applied the same definition of an ordinarily skilled artisan here.

VI. THE '586 PATENT'S EFFECTIVE FILING DATE

10. As in my prior declaration, my opinions in this declaration were formed from the perspective of a person of ordinary skill in the art ("POSA") as of March 1, 2001, including both the knowledge of a person of ordinary skill in the art at that time as well as how a person of ordinary skill in the art would have understood the prior art.

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