UNITED STATES PATENT AND TRADEMARK OFFICE

_____

BEFORE THE PATENT TRIAL AND APPEAL BOARD

_____

GOOGLE LLC,

Petitioner,

v.

NEONODE SMARTPHONE LLC,

Patent Owner.

_____

Case No. IPR2021-01041
U.S. Patent No. 8,095,879

_____

SECOND DECLARATION OF JACOB O. WOBBROCK, PH.D.

TABLE OF CONTENTS

I.   INTRODUCTION

1.   I have been retained by Google LLC ("Google") as an independent expert consultant in this proceeding before the United States Patent and Trademark Office.

2.   I am over 21 years of age and, if I am called upon to do so, I would be competent to testify as to the matters set forth herein.

3.   My compensation is in no way contingent on the nature of my findings, the presentation of my findings in testimony, or the outcome of any proceeding.

4.   I previously provided a declaration in this proceeding as Ex-1003. My CV was previously submitted as Ex-1004.

5.   I have been asked to provide this supplemental declaration in response to a single issue raised in Dr. Rosenberg's second declaration (Ex-2019): Dr. Rosenberg's assertion that the Robertson reference (Ex-1005) is directed to a desktop computer. *E.g.*, Ex-2019, ¶¶60-63, 66, 68, 116-120, 124. It is not. As is clearly shown by the language of Robertson itself, contemporaneous computer dictionaries, and numerous contemporaneous references, the term "desktop" in Robertson has its ordinary meaning to a person of ordinary skill in the art in the field of user interface design, which refers to the on-screen desktop user interface metaphor, not a desktop computer hardware configuration. Hardware

configurations are most often referred to using the phrases "desktop computer" or

"desktop PC." Robertson's use of the term "desktop," for example, in the phrases

"a desktop," "the desktop," or "desktop objects," as I explained in my previous

declaration and confirmed below, would have been understood by persons of

ordinary skill in the art to pertain to mobile handheld computer devices, such as

laptop computers and PDAs, because such computer devices also employed the

desktop user interface metaphor.

6.   While I disagree with many positions expressed by Dr. Rosenberg in

his second declaration, I have not been asked to opine on those disagreements here.

7.   Robertson uses the term "desktop" in the conventional way of

referring to the well-known desktop user interface metaphor. This is confirmed by

at least two contemporaneous computer dictionary definitions of "desktop." It is

also confirmed by numerous references to "desktop" for mobile handheld

computer devices, such as the HP 620LX palmtop device and the NEC MobilePro

device, which were small portable touchscreen devices that included a desktop user

interface, such as described in Robertson. Moreover, laptop computers generally

used the same operating systems as desktop-hardware computers, and the '879

patent describes laptops as mobile handheld computer devices.

8.   As such, it is my opinion that Dr. Rosenberg's testimony is wrong to

limit Robertson's use of "desktop" to only refer to desktop hardware

configurations (i.e., "desktop PCs" or "desktop computers") because there is no

support for his conclusions in the Robertson reference, the '879 patent, or

contemporaneous documents that I have considered.

9.   Throughout this declaration, I refer to specific pages, figures, and/or

line numbers of various exhibits. These citations are illustrative and are not

intended to suggest that they are the only support for the propositions for which

they are cited.

II.   QUALIFICATIONS

10.   My qualifications have been provided in my prior declaration.

Ex-1003, ¶¶7-30.

III.   MATERIALS CONSIDERED

11.   In forming my opinions, I have reviewed my prior declaration, the

following additional documents, and any other document cited in this declaration

or my previous declaration:

Exhibit	Description
Ex-2019	Second Declaration of Craig C. Rosenberg
Ex-1033	Excerpt from *Newton's Telecom Dictionary* (CMP Books 17th ed. 2001) (definition of "desktop")
Ex-1034	Excerpt from *Barron's Dictionary of Computer and Internet Terms* (Barron's Educational Series, Inc. 7th ed. 2000) (definition of "desktop")

DOCKET ALARM

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.

fastcase
Smarter legal research.