

UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,

Petitioners

v.

BILLJCO LLC,

Patent Owner

CASE: IPR2022-00426  
U.S. PATENT NO. 8,761,804

DECLARATION OF JACOB SHARONY, PH.D.

## TABLE OF CONTENTS

I.	INTRODUCTION .....	1
II.	SUMMARY OF OPINIONS .....	1
III.	QUALIFICATIONS AND EXPERIENCE.....	3
	A. Education and Experience .....	3
	B. Compensation .....	5
	C. Documents and Other Materials Considered .....	6
	D. Prior Testimony and Publications .....	6
IV.	STATEMENT OF LEGAL PRINCIPLES.....	9
	A. Claim Construction .....	9
	B. Obviousness.....	10
V.	SCOPE OF OPINIONS .....	11
VI.	OVERVIEW OF THE '804 PATENT.....	12
	A. Written Specification.....	12
	B. The Claim Language .....	13
	C. Persons of Ordinary Skill in the Art.....	17
VII.	PRIOR ART RELIED ON IN PETITION .....	18
	A. Himmelstein .....	18
	B. Myr .....	22
	C. Evans .....	22
VIII.	CLAIM CONSTRUCTION .....	23

IX. THE CHALLENGED CLAIMS ARE  
NOT UNPATENTABLE AS OBVIOUS ..... 25

I, JACOB SHARONY, Ph.D., hereby declare as follows:

## **I. INTRODUCTION**

1. I have been engaged by Patent Owner BillJCo LLC as a consultant in connection with the present *inter partes* review by Petitioners.

2. This Declaration sets forth the opinions I have formed and the bases for them concerning patentability of claims 1 and 10-12 ("the Challenged Claims") of U.S. Patent 8,761,804 (EX1001, "'804 Patent").

3. I have relied on my knowledge, experience, and expertise in the technologies involved, which I have acquired over my career, in providing the analysis and opinions contained in this report. All of my conclusions and opinions are provided within a reasonable degree of professional certainty.

## **II. SUMMARY OF OPINIONS**

4. It is my opinion that the challenged claims of the '804 patent are not obvious in view of U.S. Patent 7,123,926 ("Himmelstein") (EX1005) in combination with U.S. Patent Application Publication 2003/0014181 ("Myr") (EX1006).

5. It is my opinion that Himmelstein in combination with Myr fails to disclose "maintaining, by the sending data processing system, a configuration for when to perform beaconing of the broadcast unidirectional wireless data record, as required by each of the Challenged Claims.

6. It is my opinion that Himmelstein in combination with Myr fails to disclose "transmitting, by the sending data processing system, the broadcast unidirectional wireless data record for receipt by a plurality of receiving mobile data processing systems in a wireless vicinity of the sending data processing system wherein the broadcast unidirectional wireless data record is beacons by the sending data processing system in accordance with the configuration for when to perform beaconing," as required by each of the Challenged Claims.

7. It is also my opinion that a person of ordinary skill in the art ("POSITA") would not have had reason to combine these references in the manner set forth in the Challenged Claims.

8. It my further opinion that the Challenged Claims of the '804 patent are not obvious in view of Himmelstein in combination Myr, and further in combination with U.S. Patent 6,327,535 ("Evans") (EX1007).

9. Similar to Petitioner's Ground 1, the combination of Himmelstein, Myr and Evans, lacks the aforementioned disclosures, and a POSITA would not have had reason to combine these references in the manner set forth in the Challenged Claims.

10. The subsequent sections of this Declaration provide my qualifications and experience and then my analysis and the bases for my opinions.

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