

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent of: Sanjay K. Rao, et al.  
U.S. Patent No.: 9,319,075 Attorney Docket No.: 52959.103R075  
Issue Date: April 19, 2016  
Appl. Serial No.: 14/685,592  
Filing Date: April 13, 2015  
Title: WIRELESS DEVICES WITH TRANSMISSION CONTROL AND  
MULTIPLE INTERNET PROTOCOL (IP) BASED PATHS OF  
COMMUNICATION

**DECLARATION OF DR. MICHAEL ALLEN JENSEN**

## Table of Contents

I. ASSIGNMENT.....	3
II. QUALIFICATIONS AND BACKGROUND INFORMATION.....	4
III. OVERVIEW OF CONCLUSIONS FORMED.....	9
IV. LEVEL OF ORDINARY SKILL IN THE ART.....	14
V. LEGAL STANDARDS.....	14
A. Claim Construction.....	15
B. Legal Standards for Obviousness.....	15
VI. The '075 Patent.....	20
A. Overview of the '075 Patent.....	20
B. File History of the '075 Patent.....	21
VII.SUMMARY OF THE CITED PRIOR ART.....	22
A. Overview of Yegoshin.....	22
B. Overview of Bernard.....	24
C. Overview of Johnston.....	26
D. Overview of Preiss.....	27
VIII.ANALYSIS OF COMBINATION OF Yegoshin, Bernard, Johnston, and Preiss (GROUND I).....	28
A. Combination of Yegoshin and Bernard.....	28
B. Combination of Yegoshin, Bernard, and Johnston.....	36
C. Combination of Yegoshin, Bernard, Johnston, and Preiss.....	39
D. Claim 1.....	41
E. Claim 2.....	73
F. Claim 3.....	74
G. Claim 5.....	75
IX. CONCLUSION.....	77

I, Michael A. Jensen declare as follows:

## **I. ASSIGNMENT**

1. I have been retained as a technical expert by counsel on behalf of Apple, Inc. (“Petitioner”). I understand that Petitioner is requesting that the Patent Trial and Appeal Board institute an inter partes review (“IPR”) proceeding with respect to U.S. Patent No. 9,319,075 (“the ’075 patent”).

2. I have been asked to provide my independent analysis of the ’075 patent in light of the prior art publications cited in Section VII below.

3. I am not, and never have been, an employee of Petitioner. I received no compensation for this Declaration beyond my normal hourly compensation based on my time actually spent analyzing the ’075 patent, the prior art publications cited in Section VII below, and issues related thereto, and I will not receive any added compensation based on the outcome of any IPR or other proceeding involving the ’075 patent.

4. My analysis here is based on my years of education, research and experience, as well as my investigation and study of relevant materials, including those cited here. I may rely upon these materials, my knowledge and experience, and/or additional materials to rebut arguments raised by the Patent Owner. Further, I may also consider additional documents and information in forming any

necessary opinions, including documents that may not yet have been provided to me.

5. My analysis of the materials produced in this proceeding is ongoing and I will continue to review any new material as it is provided. This declaration represents only those opinions I have formed to date. I reserve the right to revise, supplement, and/or amend my opinions stated here based on new information and on my continuing analysis of the materials already provided.

## **II. QUALIFICATIONS AND BACKGROUND INFORMATION**

6. I have personal knowledge or have developed knowledge of these technologies based upon education, training, or experience, of the matters set forth herein.

7. A detailed description of my professional qualifications, including a listing of my specialties/expertise and professional activities, is contained in my *curriculum vitae*, a copy of which is provided as Exhibit 1004. Below is a short summary of my professional qualifications.

8. I earned a Bachelor of Science (B.S.) degree and a Master of Science (M.S.) degree in Electrical Engineering from Brigham Young University in 1990 and 1991, respectively, and a Doctor of Philosophy (Ph.D.) degree in Electrical Engineering from the University of California, Los Angeles in 1994.

9. I am a tenured Professor at Brigham Young University. In this role, I have taught undergraduate and graduate courses for 27 years in the areas of electromagnetic field theory, antenna design and analysis, radio frequency circuit design, signal processing, and communications systems. Additionally, I have supervised twenty-five graduate student theses and dissertations within these subject areas.

10. I am Dean of the Ira A. Fulton College of Engineering at Brigham Young University and a Fellow of the Institute of Electrical and Electronics Engineers (IEEE). I was previously the President of the IEEE Antennas and Propagation Society, an elected member of the Administrative Committee for the IEEE Antennas and Propagation Society, Editor-in-Chief of the *IEEE Transactions on Antennas and Propagation*, and associate editor for the *IEEE Transactions on Antennas and Propagation* and the *IEEE Antennas and Wireless Propagation Letters*. I was Chair of the Department of Electrical and Computer Engineering at Brigham Young University from 2006 through 2012.

11. I was recognized for my research and teaching at Brigham Young University by being awarded University Professor status in 2013. I also received the Karl G. Maeser Research and Creative Arts Award at Brigham Young University in 2005, the Outstanding Faculty Award from the Electrical and Computer Engineering Department at Brigham Young University in 1998, and the

# 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.