

EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

SMART MOBILE TECHNOLOGIES LLC,

Plaintiff,

v.

APPLE INC.

Defendant.

Case No. 6:21-cv-00603-ADA

SMART MOBILE TECHNOLOGIES LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD., and
SAMSUNG ELECTRONICS AMERICA,
INC.,

Defendants.

Case No. 6:21-cv-00701-ADA

**DECLARATION OF HARRY BIMS IN SUPPORT OF
DEFENDANTS' OPENING CLAIM CONSTRUCTION BRIEFS**

I declare under penalty of perjury that the following is true and correct.

Executed at Menlo Park, CA on June 8, 2022



Harry Bims, Ph.D.

I, Harry Bims, Ph.D., hereby declare and state as follows:

I. INTRODUCTION

1. I have been retained by Fish & Richardson P.C. on behalf of Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, “Samsung”) as an expert in connection with the above captioned matter.

2. I understand that Smart Mobile Technologies, LLC (“Smart Mobile”) has alleged that defendants Samsung and Apple Inc. (“Apple”) infringe the following U.S. Patents and claims:

Asserted Patents	Asserted Claims Against Samsung	Asserted Claims Against Apple
U.S. Patent 8,442,501	1-3, 5-6, 13, 16-18	1-3, 5, 6, 10, 13, 16-18
U.S. Patent 8,472,936	1, 8-11, 13, 15, 17, 19	1, 8-11, 13, 15, 17, 19
U.S. Patent 8,472,937	1-3, 5-6, 13, 16-18	1-3, 5-6, 10, 13, 16-18
U.S. Patent 8,761,739	1-3, 5-6, 13, 16-18	1-3, 5-6, 10, 13, 16-18
U.S. Patent 8,824,434	1-8	1-8
U.S. Patent 8,842,653	1-21, 23-28	1-21, 23-28, 29, 30
U.S. Patent 8,982,863	None	1-6, 8, 9, 11, 12, 14, 19, 24
U.S. Patent 9,019,946	1-21, 26-30	1-21, 26-30
U.S. Patent 9,049,119	20	20
U.S. Patent 9,084,291	5-16	None
U.S. Patent 9,191,083	5-9, 12-20	1, 5-9, 12-20
U.S. Patent 9,319,075	None	1-3, 5
U.S. Patent 9,614,943	1-2, 5-9, 12-17, 19-20	1, 2, 5-9, 12-17, 18, 19, 20
U.S. Patent 9,756,168	2-5, 19-23, 25, 28-29, 34	2-5, 19-23, 25, 28, 29, 34

3. I have been asked to provide my opinion on how certain terms appearing in claims of the asserted patents would be understood by a person of ordinary skill in the art (“POSITA”) in the field of the asserted patents.

4. All emphases (such as bolding, underlining, or italics) in quotations herein are mine, unless otherwise stated.

A. Qualifications and Experience

5. My curriculum vitae is attached as Attachment A.

6. I have worked extensively in the field of digital communications. I have studied telecommunications and systems engineering since approximately 1981. Further, I have over 20

years of industry experience in computer network design, including the design of hardware and software for computer communications in a wireless context. During this period, I have designed and implemented various products that involve technologies related to the subject matter of the Asserted Patent.

7. I received a B.S. in Computer and Systems Engineering from Rensselaer Polytechnic Institute in 1985. In 1988, I received a M.S. in Electrical Engineering from Stanford University. In 1993, I received a Ph.D. in Electrical Engineering, also from Stanford University. As a graduate student at Stanford University, I studied the principles of digital communications theory, including data modulation and demodulation, error checking and correction algorithms, and the architecture and design of semiconductor circuits used for digital communications. My Ph.D. thesis at Stanford addressed the application of trellis coding and precoding to a digital modulation system, and was titled “Trellis Coding for Multi-Level, Partial Response Continuous Phase Modulation with Precoding.”

8. After receiving my Ph.D. in 1993, I worked for Glenayre Technologies - Wireless Access Group, where I focused on hardware and software architecture and design, including inventing, designing, and building a patented computer system for real-time testing of two-way pagers and co-developing a wireless application protocol that included a CRC error checking algorithm. From 1999 to 2001, I was responsible for the software architecture for core SGSN and GGSN products for the GPRS market. I also held management responsibility for the Firmware, Hardware, Performance, and Systems Engineering Groups. In 2001, I developed a business plan for building network infrastructure for 802.11 enterprise networks, and then later that year founded AirFlow Networks, Inc. where I invented and received over eleven patents on its core technology, which was based on the 802.11 wireless local area network specification.

9. I am currently the President of Protocomm Systems, LLC and Bims Laboratories, LLC, both of which I founded. As the President of Bims Laboratories, Inc., I perform technical research in wireless technology standards, such as LTE, 5G, IEEE 802.11 (“Wi-Fi”), Bluetooth, and other network communication protocols.

10. I am also named as an inventor on twenty-three telecommunications-related United States patents:

- U.S. Pat. No. 6,259,911, entitled “Network Operations Center Hardware and Software Design”;
- U.S. Pat. No. 6,557,134, entitled “ARQ Method for Wireless Communication”;
- U.S. Pat. No. 6,760,318, entitled “Receiver Diversity in a Communication System”;
- U.S. Pat. No. 6,788,658, entitled “Wireless Communication System Architecture Having Split MAC Layer”;
- U.S. Pat. No. 6,862,448, entitled “Token-Based Receiver Diversity”;
- U.S. Pat. No. 6,965,769, entitled “Testing Center”;
- U.S. Pat. No. 7,149,196, entitled “Location Tracking in a Wireless Communication System Using Power Levels of Packets Received by Repeaters”;
- U.S. Pat. No. 7,236,470, entitled “Tracking Multiple Interface Connections by Mobile Stations”;
- U.S. Pat. No. 7,515,557, entitled “Reconfiguration of a Communication System”;
- U.S. Pat. No. 7,668,542, entitled “Token-Based Receiver Diversity”;
- U.S. Pat. No. 7,672,274, entitled “Mobility Support Via Routing”;
- U.S. Pat. No. 7,689,210, entitled “Plug-in-Playable Wireless Communication System”;
- U.S. Pat. No. 7,876,704, entitled “Tunneling Protocols for Wireless Communications”;
- U.S. Pat. No. 7,957,741, entitled “Token-Based Receiver Diversity”;
- U.S. Pat. No. 8,027,637, entitled “Single Frequency Wireless Communication System”;
- U.S. Pat. No. 8,064,380, entitled “Reconfiguration of a Communication System”;
- U.S. Pat. No. 8,144,640, entitled “Location Tracking in a Wireless Communication System Using Power Levels of Packets Received by Repeaters”;
- U.S. Pat. No. 8,189,538, entitled “Reconfiguration of a Communication System”;
- U.S. Pat. No. 8,468,426, entitled “Multimedia-Aware Quality-of-Service and Error Correction Provisioning”;

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