EXHIBIT 17

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

AGIS SOFTWARE DEVELOPMENT LLC,

                Plaintiff,

      v.

APPLE INC.,

                Defendant.

Civil Action No. 2:17-cv-513-JRG
(LEAD CASE)

Civil Action No. 2:17-cv-516-JRG

<u>**EXPERT REPORT OF NEIL SIEGEL REGARDING THE INVALIDITY OF U.S.**</u>
<u>**PATENT NOS. 9,467,838; 9,749,829; 9,408,055; AND 9,445,251**</u>

such that a device would send updated location information at a predetermined time interval, unless it moved further than a pre-specified distance before that time interval had passed. *See* APL-AGIS_00012859.   U.S. Patent No. 5,672,840, of which I am named inventor, describes the reporting filter incorporated in the FAAD C2I system, based on an angular filter (e.g., reporting whenever the display was rotated more than a certain amount). *See* SIEGEL000374 at 5:31-35. In FBCB2 (starting in 1995), we extended that concept of a filter for reporting based an angular threshold to one of a threshold based on time and motion. *See* SIEGEL000990-91.   The information that passed the time-motion filter was continuously broadcast to other FBCB2 devices, and the updated information was automatically plotted on each FBCB2 device's georeferenced map. *See* SIEGEL000009-10; SIEGEL000305.

245.   FBCB2 presented georeferenced server-provided georeferenced maps and second sets of user-selectable symbols corresponding to a second set of devices plotted on the maps at positions corresponding to latitude and longitude.   The server continuously broadcast that information to other FBCB2 devices, and the location information on the maps of those devices was updated in near-real-time.   *See* SIEGEL000009-10; SIEGEL000305; SIEGEL000484; SIEGEL000782. As described above, a user could toggle to a newly-received, server-provided map at will.

> **4.**   **"identifying user interaction with the display specifying an action and, based thereon, sending, to the first server, a third message related to remotely controlling the first device to perform an action, wherein the first server is configured to send a fourth message to the first device based on receiving the third message from the second device, wherein the fourth message relates to remotely controlling the first device to perform the action, and wherein the first device is configured to perform the action based on receiving the fourth message."**

246.   As discussed in greater detail above, FBCB2 was installed and run on a variety of devices with interactive displays, typically touch screens.   *See, e.g.,* SIEGEL000001;

SIEGEL000782; SIEGEL 000783. Every device running FBCB2 included a screen that displayed maps. *See, e.g.* SIEGEL000001 (showing FBCB2 devices presenting maps). FBCB2 was compatible with and employed a range of georeferenced map types that related locations on the map to latitude and longitude. *See* SIEGEL000311 (listing some map types).

247.   An FBCB2 user could select a one or more symbols corresponding to one or more other FBCB2 devices, specify an action and, based thereon, send third data to the selected one or more devices via the first server. When remote control messages, users could choose to send the message to their entire group, to a sub-group, or to individual users. Recipients could be selected by touching the symbol corresponding with the recipient on the map. *See* APL-AGIS_00012882 (explaining that users could send messages by clicking on a unit's icon).

248.   FBCB2 allowed users to send command-and-control messages via the server that would remotely control the recipient FBCB2 device. *See* SIEGEL000006.

249.   For example, an FBCB2 user could send another user a message comprising location information of an entity, and that location information would automatically be displayed on the georeferenced map of the recipient user. *See* SIEGEL000012; SIEGEL000015-16; APL-AGIS_00012847-8. As a further example, and FBCB2 user could send another user a message comprising a warning or alert that would be displayed in a scrolling marquee on the other user's touch screen. *See* SIEGEL000307 (image of FBCB2 user interface showing location of scrolling marquee). As a further example, FBCB2 commanders could identify and send users the locations of "danger" zones related to enemy fire, contamination areas, or enemy obstacles. *See* SIEGEL000016. FBCB2 devices could be programmed to play audible warnings when the device approached the location of a danger zone. *See* SIEGEL000016. Thus, a commander could cause a user's device to play a sound if the user was approaching a danger zone. *See* SIEGEL000016.

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250.   As a further example, an FBCB2 user could remotely "challenge" another, remote FBCB2 device (i.e., require the user of that remote FBCB2 unit to re-enter their log-in credentials; they might do this, for example, if they suspect that that particular FBCB2 unit has been captured by the enemy), or could engage in other remote-control operations such as: locking the remote FBCB2 unit (i.e., logging its user out); forcing the user at that unit to re-enter their log-in credentials; or erasing the hard drive of the remote unit.   *See* APL-AGIS_00012860.   These features are described in detail in U.S. Pat. No. 7,278,023, of which I am a named inventor. *See, e.g.,* SIEGEL000400-417 (the "'023 patent") at 6:56-63; 8:15-9:23; 9:24-9:46. My team at TRW developed this patent as part of our work on FBCB2, and we incorporated many of the capabilities outlined in the patent in FBCB2. The '023 patent covers a method for administering access and security on a network. '023 pat. at 3:22-24. Among other things, the system includes a "remote control module . . . provided so that the systems administrator or security officer may take the appropriate action when certain events transpire." '023 pat. at 6:56-63. The patent discloses that a system administrator or security officer may send a challenge message to a user's device. '023 pat. at 8:15-28. Upon receipt of the message, the device presents the user's role/log in screen. '023 pat. at 8:28-44. If the user enters the wrong password or fails to enter the password, and this happens more than a pre-specified number of times, then the security administrator or officer has the option to remotely lock the device's screen or totally disable the user terminal and wipe its hard drive (among other possibilities). '023 pat. 8:28-9:23. These features were implemented as part of FBCB2.

I.   **Claim 42 is Anticipated by FBCB2, or, at a Minimum, is Obvious Over FBCB2 in View of the Knowledge of a POSA at the Time of the Invention**

251.   Claim 42 of the '829 patent depends from claims 35 and 41. Claim 41 of the '829 patent recites:

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