

EXHIBIT E

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

GESTURE TECHNOLOGY PARTNERS,
LLC,

Plaintiff

v.

HUAWEI DEVICE CO., LTD.,
HUAWEI DEVICE USA, INC.,

Defendants.

JURY TRIAL DEMANDED

C.A. NO. 2:21-cv-00040-JRG

LEAD CONSOLIDATED CASE

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

Defendants.

C.A. NO. 2:21-cv-00041-JRG

**EXPERT DECLARATION OF BENEDICT OCCHIOGROSSO IN SUPPORT OF
PLAINTIFF'S OPENING CLAIM CONSTRUCTION BRIEF**

I, Benedict Occhiogrosso, do hereby make the following declaration:

I. INTRODUCTION

1. I have been retained by Williams, Simons, & Landis, PLLC (hereinafter “WSL”), to provide various opinions regarding U.S. Patent Nos. 7,933,431 (the “431 Patent”); 8,194,924 (the “924 Patent”); 8,878,949 (the “949 Patent”); and 8,553,079 (the “079 Patent”) (the “Asserted Patents”). I understand that my declaration is being submitted in connection with Plaintiff Gesture Technology Partners LLC’s (“Plaintiff” or “GTP”) Opening Claim Construction Brief. Unless otherwise noted, the statements made herein are based on my personal knowledge and, if called to testify with regards to this declaration, I could and would do so competently and truthfully.

2. My analysis and basis for my opinions are set forth below. I reserve the right to supplement or amend my analysis, conclusions, and any opinions I make this declaration in response to claim construction positions and opinions expressed by Defendants Huawei Device Co., Ltd., Huawei Device USA, Inc., and Samsung Electronics Co., Ltd., and Samsung Electronics America, Inc.’s (collectively, “Defendants”) witnesses, or in light of any additional evidence, testimony, discovery, or other information that may be provided to me after the date of this declaration.

3. I make this declaration pursuant to Local Patent Rule 4-3(b). But I note that Defendants have not provided sufficient notice of the reasoning behind their proposed constructions, including why certain claim terms are allegedly indefinite or lack antecedent basis. Therefore, I reserve my right to supplement my opinions in response to Defendants’ positions when they are provided.

4. I have been retained in this matter by WSL as a technical expert in the field of electrical communications engineering and human-computer interaction. I am being compensated

for my work in this matter at my usual and customary rate. I am also being reimbursed for all reasonable expenses that I incur during the course of this work. My compensation does not depend upon the results of my analysis or the substance of my testimony. Nor does my compensation depend on the outcome of this litigation or any related proceeding, and it is not based on the result of any issue in this litigation. I have no personal interest in the outcome of this litigation.

II. BACKGROUND AND QUALIFICATIONS

5. Provided below is a summary of my educational background, career history, and publications. My curriculum vitae is attached as Exhibit A to this declaration.

6. I hold a Bachelor of Science Degree in Electrical Engineering as well as a Master of Science Degree in Electrical Engineering, both from the Polytechnic Institute of Brooklyn (now part of New York University).

7. I have authored or co-authored nearly three dozen articles in peer-reviewed journals, conference proceedings, texts, industry trade publications, and monographs. These publications span a range of topics including Integrated Voice–Data Communications/Switching, Integrated Packet-Circuit Switching, Voice Digitization, Packet Voice, Indoor Wireless distribution, Disaster Recovery and Business Continuity, Data Center Engineering, Switching Processor Architecture, Telephone and Voice Mail Systems, PBX & LAN switching premises-based systems and related technologies and Internet of Things (IoT).

8. I have more than 40 years of telecommunications and information technology experience. I am the co-founder and President of DVI Communications Inc., a telecommunications and information technology and business consulting firm. Since the establishment of DVI in 1979, I have planned, designed, implemented, and managed large-scale projects involving wired and wireless communications systems, which included transmission of voice and data. Prior to founding DVI and for several years thereafter, I held a Department of Defense security clearance

and worked on several classified programs within the defense industry, where I supported the development of several pioneering technologies that have served as the prototypes for many telecommunications and IT systems later utilized in commercial practice.

9. I have extensive expertise in voice-data-video switching, and transmission systems deployed in networks, including both circuit switching and packet switching using wireline and wireless distribution methods (including Land Mobile radio, Satellite, microwave, cellular and Wi-Fi). In addition, I have developed various applications systems including voicemail, e-mail, unified messaging, and audio/video recording for a variety of facility types including call-contact centers, data centers, trading floors, and mission-critical communications centers. At present, my primary responsibilities encompass strategic planning and systems design of client IT Infrastructures and program management for major projects undertaken by DVI.

10. With respect to wireless communications, I am knowledgeable in transceiver architecture and design (including RF and baseband systems), operating over various channels subject to different types of performance degradation (including noise, multipath, rainfall, etc.). I have designed and deployed numerous wireless communications systems over the course of my career operating at UHF, microwave and millimeter wave frequencies supporting several applications including voice / data/ video telecommunications, Automatic Vehicle Location (AVL), SCADA and telemetry in both outdoor and indoor settings. I am knowledgeable in modulation techniques, error correction /error detection coding and related signal processing used in transmission and reception supporting Land Mobile Radio, Cellular (from AMPS through 5G) and Wi-Fi (different vintages) . as well as satellite and microwave. Among the clients I have supported over the years included DARPA Packet Radio network (PRNET) technology for survivable networks, Xerox's pioneering XTEN Network (Microwave bypass (10.5 GHz) used

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