UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION

PARKERVISION, INC.,

Plaintiff,

v.

REALTEK SEMICONDUCTOR CORP.,

Defendant.

Case No. 6:22-cv-01162-ADA

JURY TRIAL DEMANDED

DECLARATION OF DR. DAVID RICKETTS

I have personal knowledge of the facts set forth in this Declaration and, if called to testify as a witness, would testify under oath:

I. BACKGROUND

1. I have been retained as an expert on behalf of ParkerVision, Inc. ("ParkerVision") in the above-captioned litigation action against Defendant Realtek Semiconductor Corporation ("Realtek").

2. I understand that ParkerVision asserts the following patents against Defendant: U.S. Patent Nos. 6,049,706 (the "'706 patent"); 6,266,518 (the "'518 patent); 7,292,835 (the "'835 patent"); and 8,660,513 (the "'513 patent") (collectively, the "patents-in-suit").

3. I have been asked by ParkerVision to provide my opinions on certain technical aspects relating to the patents-in-suit.

4. Details on various aspects of my professional experience and qualifications can be found in my curriculum vitae, which is attached hereto as Appendix A.

5. Based on my experience in the wireless communications industry, I have a detailed understanding of radio frequency circuit design, including the radio frequency front end of cellular phones.

II. RELEVANT LEGAL PRINCIPLES

A. Level of Ordinary Skill in the Art

1. I have been informed and understand that claims are construed from the perspective of a person of ordinary skill in the art ("POSITA") at the time of the claimed invention.

2. In my opinion, a POSITA with respect to the patents-in-suit would have (i) a Bachelor of Science degree in electrical or computer engineering (or a related academic field), and at least two (2) additional years of experience in the design and development of radio frequency

circuits and/or systems, or (ii) at least five (5) years of experience and training in the design and development of radio frequency circuits and/or systems.

3. In view of my qualifications, experience, and understanding of the subject matter of the invention, I believe that I meet the above-mentioned criteria and consider myself a person with at least ordinary skill in the art pertaining to the patents-in-suit.

B. Legal Standard for Indefiniteness

4. I understand that, under 35 U.S.C § 112, patent claims must "particularly point out and distinctly claim . . . the subject matter which the applicant regards as his invention." See § 112 ¶ 2. I understand that a claim term is indefinite only if "read in light of the specification delineating the patent, and the prosecution history, fail[s] to inform, with reasonable certainty, those skilled in the art about the scope of the invention." *Nautilus, Inc. v. Biosig Instruments, Inc*., 134 S. Ct. 2120, 2124 (2014).

III. OPINIONS

A. "quadrature-phase oscillating signal is out of phase with said in-phase oscillating signal by substantially 90 degrees" ('835 patent, claim 2)

5. Claim 2 of the '835 patent recites "wherein said quadrature-phase oscillating signal is out of phase with said in-phase oscillating signal by substantially 90 degrees." A POSITA understands what it means for two signals to be "substantially 90 degrees" out of phase with each other. The term is not indefinite to a POSITA.

6. There are always imperfections in real-word signal processing. In cellular/wireless systems, signals and circuit components are not perfect. A POSITA would therefore understand that the term "substantially" is a modifier implying an approximation rather than perfect to account for these realities.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: November 22, 2023

Dr. David S. Ricketts

APPENDIX A

DOCKET ALARM

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