### UNITED STATES PATENT AND TRADEMARK OFFICE

### BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC., Petitioner

v.

UNILOC 2017 LLC, Patent Owner

U.S. Patent No. 7,969,925 Filing Date: July 8, 2010 Issue Date: June 28, 2011

Title: Peer-to-Peer Mobile Data Transfer Method and Device

Inter Partes Review No.: IPR2019-00702

DECLARATION OF DR. HENRY H. HOUH UNDER 35 U.S.C. § 1.68



## TABLE OF CONTENTS

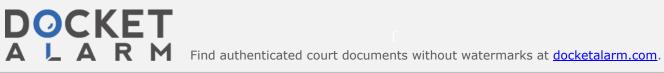
			Page	
I.	Intro	oduction	1	
II.	Background and Qualifications			
III.	Materials Considered for this Declaration1			
IV.	Understanding of the Law1			
V.	Summary of Opinions			
VI.	Overview of the 925 Patent		13	
	A.	Summary of the 925 Patent	13	
	В.	Claims of the 925 Patent	14	
	C.	Person of Ordinary Skill in the Art	16	
	D.	Claim Construction Under 37 C.F.R. § 42.104(b)(3)	25	
	E.	Prior Art Publications	28	
VII.	Ground 1: The Combination of Alos and RFC793 Renders Obvious Claims 1, 3-8, 10-15 and 17-20		32	
	A.	Alos Overview	32	
	В.	RFC793 Overview	35	
	C.	Rationale for Combining Alos and RFC793	35	
	D.	Detailed Claim Analysis		
VIII.	Ground 2: The Combination of Alos, RFC793, WMA and the SMS Specification Renders Claims 2, 9 and 16 Obvious			
	-	SMS Specification Overview		
	В.	WMA Overview		
	C.	Rationale for Combining Alos, RFC793, the SMS Specification and WMA	46	
	D.	Detailed Claim Analysis		
IX.	Ground 3: The Combination of Cordenier and RFC793 Renders Obvious Claims 1, 3-8, 10-15 and 17-20			
	A.	Cordenier Overview		
	B.	Rationale for Combining Cordenier and RFC793	53	



## TABLE OF CONTENTS

(continued)

			Page	
	C.	Detailed Claim Analysis	55	
X.	Ground 4: The Combination of Cordenier, RFC793 and Dorenbosch Renders Claims 2, 9 and 16 Obvious			
	<b>A.</b>	Overview of Dorenbosch	62	
	В.	Rationale for Combining Cordenier, RFC793 and Dorenbosch	62	
	C.	Detailed Claim Analysis	63	
XI.	Ground 5: The Combination of Lee, RFC793, and the SMS Specification Renders Obvious Claims 1, 3-8, 10-15 and 17-206			
	A.	Lee Overview	66	
	В.	Rationale for Combining Lee, RFC793, and the SMS Specification	68	
	C.	Detailed Claim Analysis	70	
XII.	Ground 6: The Combination of Lee, RFC793, the SMS Specification and WMA Renders Claims 2, 9 and 16 Obvious		76	
	<b>A.</b>	Rationale for Combining Lee, RFC793, the SMS Specification and WMA	76	
	В.	Detailed Claim Analysis	77	
XIII.	Secondary Considerations80		80	
XIV	Conclusion 8		80	



## **EXHIBIT LIST**

Exhibit No.	Description
1001	U.S. Patent No. 7,969,925 to Lin (" <b>925 patent</b> ")
1002	Declaration of Dr. Henry Houh (this declaration)
1003	File History of U.S. Pat. No. 7,969,925 to Lin
1004	File History of U.S. Pat. No. 7,961,663 to Lin
1005	Certified Translation and Original of European Pat. App. Pub. EP 1 009 153 A1 (" <b>Alos</b> ")
1006	U.S. Pat. No. 6,847,632 ("Lee")
1007	European Pat. App. Pub. EP 1 385 323 A1 ("Cordenier")
1008	Complaint for Patent Infringement ("Uniloc Complaint")
1009	Declaration of Sandy Ginoza for IETF RFC 1122: Requirements for Internet Hosts - Communication Layers with the exhibit RFC 1122, "Requirements for Internet Hosts - Communication Layers" ("RFC1122")
1010	Declaration of Sandy Ginoza for IETF RFC 793: Transmission Control Protocol with the exhibit, RFC 793, "Transmission Control Protocol" ("RFC793")
1011	U.S. Pat. App. Pub. No. 2003/0217174 (" <b>Dorenbosch</b> ")
1012	U.S. Patent No. 5,163,131 (" <b>Row</b> ")
1013	W. Richard Stevens, "Unix Network Programming," Chapters 1, "Introduction"; 4, "A Network Primer"; 5, "Communication Protocols"; and, 6, "Berkeley Sockets"
1014	Information Disclose Statement Under 37 C.F.R. §§ 1.97 and 1.98 that includes "Universal Mobile Telecommunications System (UMTS); Technical realization of the Short Message Service (SMS) (3G TS 23.040 version 3.5.0 Release 1999)" and was submitted August 15, 2002, concurrently with U.S. Pat. App. 10/218,580, which application was published on February 27, 2003, as U.S. Pat. App. Pub. 2003/0040300 A1 ("SMS Specification")



Exhibit No.	Description
1015	W. Richard Stevens, TCP/IP ILLUSTRATED, VOLUME 2: THE PROTOCOLS (1994)
1016	U.S. Pat. No. 8,018,877 to Lin
1017	U.S. Pat. Pub. No. 2005/0278448 to Mazor (" <b>Mazor</b> ")
1018	Declaration of Harold Ogle Regarding JSR-000120, "Wireless Messaging API (WMA) for Java <sup>TM</sup> 2 Micro Edition Version 1.0" with the exhibit JSR 120, "Wireless Messaging API (WMA) for Java <sup>TM</sup> 2 Micro Edition Version 1.0" ("WMA")
1019	IBM Dictionary of Computing, 10th Ed. (1993)
1020	Newton's Telecom Dictionary, 11th Ed. (1996)
1021	Declaration of Sandy Ginoza for IETF RFC 2543: SIP: Session Initiation Protocol with the exhibit RFC 2543, "SIP: Session Initiation Protocol" ("RFC2543")
1022	Declaration of Sandy Ginoza for IETF RFC 791: Internet Protocol with the exhibit RFC 791, "Internet Protocol"
1023	U.S. Pat. Pub. No. 2003/0040300
1024	Declaration of Sandy Ginoza for IETF RFC 2026: The Internet Standards Process – Revision 3 with the exhibit, RFC 2026: "The Internet Standards Process – Revision 3" ("Internet Standards Process")
1025	U.S. Pat. No. 7,181,231
1026	Declaration of Mr. Craig Bishop regarding ETSI TS 123 040 V3.5.0, "Universal Mobile Telecommunications System (UMTS); Technical Realization of the Short Message Service (SMS) (3GPP TS 23.040 version 3.50 Release 1999) with appendices A-D
1027	Declaration of Sandy Ginoza for IETF RFC 768: User Datagram Protocol with the exhibit, RFC768: User Datagram Protocol



# DOCKET A L A R M

# 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.

