

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

SKYHOOK WIRELESS, INC.,)
)
 Plaintiff and)
 Counterclaim-Defendant,)
)
 v.)
)
 GOOGLE INC.,)
)
 Defendant and)
 Counterclaimant.)
 _____)

Case No. 1:10-cv-11571-RWZ

**AFFIDAVIT OF LINA F. SOMAIT IN
SUPPORT OF PLAINTIFF SKYHOOK
WIRELESS, INC.'S OPENING CLAIM
CONSTRUCTION BRIEF**

I, Lina F. Somait, declare as follows:

1. I am an attorney at the law firm of Irell & Manella LLP ("Irell & Manella"), counsel to plaintiff Skyhook Wireless, Inc. ("Skyhook"). I am a member in good standing of the State Bar of California, and have been admitted to the Bar of this Court for the purpose of this litigation. I submit this declaration in connection with Skyhook's Opening Claim Construction Brief. I have personal knowledge of the matters set forth in this declaration and, if called as a witness, could testify to its contents.

2. Attached hereto as Exhibit 1 is a true and correct copy of U.S. Patent No. 7,305,245.

3. Attached hereto as Exhibit 2 is a true and correct copy of U.S. Patent No. 7,433,694.

4. Attached hereto as Exhibit 3 is a true and correct copy of U.S. Patent No. 7,414,988 (the "988 patent").

5. Attached hereto as Exhibit 4 is a true and correct copy of U.S. Patent No. 7,474,897.

6. Attached hereto as Exhibit 5 is a true and correct copy of excerpts from *The Compact Oxford English Dictionary* (2d ed. 1991) produced by Google Inc. in this litigation, bates marked GSHFED_0004444, GSHFED_0004459 and GSHFED_0004465.

7. Attached hereto as Exhibit 6 is a true and correct copy of excerpts from *Webster's Third New International Dictionary Unabridged* (2002) produced by Skyhook in this litigation, bates marked SKYFED013807–10.

8. Attached hereto as Exhibit 7 is a true and correct copy of excerpts from *The American Heritage Science Dictionary* (2005) produced by Skyhook in this litigation, bates marked SKYFED013654–56.

9. Attached hereto as Exhibit 8 is a true and correct copy of excerpts from John R. Vacca, *Wireless Data Demystified* (2003) produced by Skyhook in this litigation, bates marked SKYFED013785–86 and SKYFED013792–93.

10. Attached hereto as Exhibit 9 is a true and correct copy of excerpts from *Merriam-Webster's Collegiate Dictionary* (10th ed. 2001) produced by Skyhook in this litigation, bates marked SKYFED013717–19.

11. Attached hereto as Exhibit 10 is a true and correct copy of excerpts from *The Cassell Dictionary and Thesaurus* (1999) produced by Skyhook in this litigation, bates marked SKYFED013822–33.

12. Attached hereto as Exhibit 11 is a true and correct copy of excerpts from *The American Heritage College Dictionary* (3rd ed. 1997) produced by Skyhook in this litigation, bates marked SKYFED013732–33, SKYFED013736 and SKYFED013815–17.

13. Attached hereto as Exhibit 12 is a true and correct copy of excerpts from *Wiley Electrical and Electronics Engineering Dictionary* (2004) produced by Skyhook in this litigation, bates marked SKYFED013811–12 and SKYFED013814.

14. Attached hereto as Exhibit 13 is a true and correct copy of excerpts from *McGraw-Hill Dictionary of Scientific and Technical Terms* (4th ed. 1989) produced by Skyhook in this litigation, bates marked SKYFED013711–12 and SKYFED013714.

15. Attached hereto as Exhibit 14 is a true and correct copy of excerpts from *The IEEE Standard Dictionary of Electrical and Electronics Terms* (6th ed. 1996) produced by Skyhook in this litigation, bates marked SKYFED013737–39.

16. Attached hereto as Exhibit 15 is a document that identifies corresponding structures for disputed claim terms in the '988 patent if the Court finds one of more of these claim terms to constitute means plus function claim terms.

Executed on September 14, 2011, in Los Angeles, California.

I declare under penalty of perjury under the laws of the United States of America that the forgoing is true and correct.

/s/ Lina F. Somait

Lina F. Somait

Certificate of Service

I, Samuel K. Lu, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on September 14, 2011.

/s/ Samuel K. Lu

Samuel K. Lu