

# Exhibit D

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

<p>WI-LAN INC.,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>Alcatel-Lucent USA Inc.; Telefonaktiebolaget LM Ericsson; Ericsson Inc.; Sony Mobile Communications AB; Sony Mobile Communications (USA) Inc.; HTC Corporation; HTC America, Inc.; Exedea Inc.; LG Electronics, Inc.; LG Electronics MobileComm U.S.A., Inc.; LG Electronics U.S.A., Inc.</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 6:10-cv-00521-LED</p>
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**EXPERT REPORT OF MARK LANNING REGARDING INVALIDITY OF U.S.  
PATENT NUMBERS: 6,088,326; 6,195,327; 6,222,819; and 6,381,211.**

subject matter recited in each of those claims would have been obvious to a person of ordinary skill in the art of the each of the Patents-in-Suit in light of the technical information available to such a person at the time the application for this patent was filed. My detailed analysis is included in claim charts attached as Appendix 5 through Appendix 34.

398. In performing my analysis, I have relied on my own personal knowledge and extensive experience in the design, development, network design and operation of the relevant systems as well as my review of the Patents-in-Suit and their prosecution histories. Other documents or materials that I have reviewed are listed in Appendix 2.

**A. The Asserted Claims of the 326 Patent Are Invalid**

399. It is my opinion that the Asserted Claims of the 326 Patent are invalid for at least the reasons shown in the following table.

<b>326 Patent</b>	<b>Invalidity Opinions</b>
Claim 1	Anticipated and/or obvious* in light of Leppanen. Anticipated and/or obvious* in light of Gitlin. Anticipated and/or obvious* in light of Sato. Anticipated and/or obvious* in light of IS-95-A. Anticipated and/or obvious* in light of the PCS System described by Tiedemann. Anticipated and/or obvious* in light of Anderson. Anticipated and/or obvious* in light of Mohanty. Anticipated and/or obvious* in light of Miller. Anticipated and/or obvious* in light of Murai.
Claim 2	Anticipated and/or obvious* in light of Gitlin. Anticipated and/or obvious* in light of Anderson. Anticipated and/or obvious* in light of the PCS System described by Tiedemann. Anticipated and/or obvious* in light of Murai. Obvious in light of IS-95-A.  Obvious in light of Leppanen combined with Gilhousen 652. Obvious in light of Leppanen combined with Tiedemann or Zehavi. Obvious in light of Gitlin combined with Gilhousen 652. Obvious in light of Gitlin combined with Tiedemann or Zehavi. Obvious in light of Sato combined with Gilhousen 652. Obvious in light of Sato combined with Tiedemann or Zehavi. Obvious in light of IS-95-A combined with Gilhousen 652. Obvious in light of IS-95-A combined with Tiedemann or Zehavi. Obvious in light of Anderson combined with Gilhousen 652. Obvious in light of Anderson combined with Tiedemann or Zehavi. Obvious in light of Mohanty combined with Gilhousen 652.

326 Patent	Invalidity Opinions
	<p>Obvious in light of Mohanty combined with Tiedemann or Zehavi.  Obvious in light of Miller combined with Gilhousen 652.  Obvious in light of Miller combined with Tiedemann or Zehavi.  Obvious in light of Murai combined with Gilhousen 652.  Obvious in light of Murai combined with Tiedemann or Zehavi.</p>
Claim 3	<p>Anticipated and/or obvious* in light of Leppanen.  Anticipated and/or obvious* in light of Gitlin.  Anticipated and/or obvious* in light of Sato.  Anticipated and/or obvious* in light of IS-95-A.  Anticipated and/or obvious* in light of the PCS System described by Tiedemann.  Anticipated and/or obvious* in light of Anderson.  Anticipated and/or obvious* in light of Mohanty.  Anticipated and/or obvious* in light of Miller.  Anticipated and/or obvious* in light of Murai.</p> <p>Obvious in light of Leppanen combined with Mohanty.  Obvious in light of Gitlin combined with Mohanty.  Obvious in light of Sato combined with Mohanty.  Obvious in light of IS-95-A combined with Mohanty.  Obvious in light of Anderson combined with Mohanty.  Obvious in light of Miller combined with Mohanty.  Obvious in light of Leppanen combined with Gilhousen 652.  Obvious in light of Leppanen combined with Tiedemann or Zehavi.  Obvious in light of Gitlin combined with Gilhousen 652.  Obvious in light of Gitlin combined with Tiedemann or Zehavi.  Obvious in light of Sato combined with Gilhousen 652.  Obvious in light of Sato combined with Tiedemann or Zehavi.  Obvious in light of IS-95-A combined with Gilhousen 652.  Obvious in light of IS-95-A combined with Tiedemann or Zehavi.  Obvious in light of Anderson combined with Gilhousen 652.  Obvious in light of Anderson combined with Tiedemann or Zehavi.  Obvious in light of Mohanty combined with Gilhousen 652.  Obvious in light of Mohanty combined with Tiedemann or Zehavi.  Obvious in light of Miller combined with Gilhousen 652.  Obvious in light of Miller combined with Tiedemann or Zehavi.  Obvious in light of Murai combined with Gilhousen 652.  Obvious in light of Murai combined with Tiedemann or Zehavi.</p>
Claim 4	<p>Anticipated and/or obvious* in light of Leppanen.  Anticipated and/or obvious* in light of Gitlin.  Anticipated and/or obvious* in light of Sato.  Anticipated and/or obvious* in light of IS-95-A.  Anticipated and/or obvious* in light of the PCS System described by Tiedemann.  Anticipated and/or obvious* in light of Anderson.  Anticipated and/or obvious* in light of Mohanty.  Anticipated and/or obvious* in light of Miller.  Anticipated and/or obvious* in light of Murai.</p> <p>Obvious in light of Leppanen combined with Mohanty.</p>

326 Patent	Invalidity Opinions
	<p>Obvious in light of Gitlin combined with Mohanty.  Obvious in light of Sato combined with Mohanty.  Obvious in light of IS-95-A combined with Mohanty.  Obvious in light of Anderson combined with Mohanty.  Obvious in light of Miller combined with Mohanty.  Obvious in light of Leppanen combined with Gilhousen 652.  Obvious in light of Leppanen combined with Tiedemann or Zehavi.  Obvious in light of Gitlin combined with Gilhousen 652.  Obvious in light of Gitlin combined with Tiedemann or Zehavi.  Obvious in light of Sato combined with Gilhousen 652.  Obvious in light of Sato combined with Tiedemann or Zehavi.  Obvious in light of IS-95-A combined with Gilhousen 652.  Obvious in light of IS-95-A combined with Tiedemann or Zehavi.  Obvious in light of Anderson combined with Gilhousen 652.  Obvious in light of Anderson combined with Tiedemann or Zehavi.  Obvious in light of Mohanty combined with Gilhousen 652.  Obvious in light of Mohanty combined with Tiedemann or Zehavi.  Obvious in light of Miller combined with Gilhousen 652.  Obvious in light of Miller combined with Tiedemann or Zehavi.  Obvious in light of Murai combined with Gilhousen 652.  Obvious in light of Murai combined with Tiedemann or Zehavi.</p>
Claim 5	<p>Anticipated and/or obvious* in light of Gitlin.  Anticipated and/or obvious* in light of Anderson.  Anticipated and/or obvious* in light of the PCS System described by Tiedemann.  Anticipated and/or obvious* in light of Murai.  Obvious in light of IS-95-A.</p> <p>Obvious in light of Leppanen combined with Gilhousen 652.  Obvious in light of Leppanen combined with Tiedemann or Zehavi.  Obvious in light of Gitlin combined with Gilhousen 652.  Obvious in light of Gitlin combined with Tiedemann or Zehavi.  Obvious in light of Sato combined with Gilhousen 652.  Obvious in light of Sato combined with Tiedemann or Zehavi.  Obvious in light of IS-95-A combined with Gilhousen 652.  Obvious in light of IS-95-A combined with Tiedemann or Zehavi.  Obvious in light of Anderson combined with Gilhousen 652.  Obvious in light of Anderson combined with Tiedemann or Zehavi.  Obvious in light of Mohanty combined with Gilhousen 652.  Obvious in light of Mohanty combined with Tiedemann or Zehavi.  Obvious in light of Miller combined with Gilhousen 652.  Obvious in light of Miller combined with Tiedemann or Zehavi.  Obvious in light of Murai combined with Gilhousen 652.  Obvious in light of Murai combined with Tiedemann or Zehavi.</p>
Claim 6	<p>Anticipated and/or obvious* in light of Gitlin.  Anticipated and/or obvious* in light of Anderson.  Anticipated and/or obvious* in light of IS-95-A.  Anticipated and/or obvious* in light of the PCS System described by Tiedemann.  Anticipated and/or obvious* in light of Murai.</p>

326 Patent	Invalidity Opinions
	<p>Obvious in light of Leppanen combined with Gilhousen 652.  Obvious in light of Leppanen combined with Tiedemann or Zehavi.  Obvious in light of Gitlin combined with Gilhousen 652.  Obvious in light of Gitlin combined with Tiedemann or Zehavi.  Obvious in light of Sato combined with Gilhousen 652.  Obvious in light of Sato combined with Tiedemann or Zehavi.  Obvious in light of IS-95-A combined with Gilhousen 652.  Obvious in light of IS-95-A combined with Tiedemann or Zehavi.  Obvious in light of Anderson combined with Gilhousen 652.  Obvious in light of Anderson combined with Tiedemann or Zehavi.  Obvious in light of Mohanty combined with Gilhousen 652.  Obvious in light of Mohanty combined with Tiedemann or Zehavi.  Obvious in light of Miller combined with Gilhousen 652.  Obvious in light of Miller combined with Tiedemann or Zehavi.  Obvious in light of Murai combined with Gilhousen 652.  Obvious in light of Murai combined with Tiedemann or Zehavi.</p>
Claim 7	<p>Anticipated and/or obvious* in light of Gitlin.  Anticipated and/or obvious* in light of Anderson.  Anticipated and/or obvious* in light of IS-95-A.  Anticipated and/or obvious* in light of the PCS System described by Tiedemann.  Anticipated and/or obvious* in light of Murai.</p> <p>Obvious in light of Leppanen combined with Gilhousen 652.  Obvious in light of Leppanen combined with Tiedemann or Zehavi.  Obvious in light of Gitlin combined with Gilhousen 652.  Obvious in light of Gitlin combined with Tiedemann or Zehavi.  Obvious in light of Sato combined with Gilhousen 652.  Obvious in light of Sato combined with Tiedemann or Zehavi.  Obvious in light of IS-95-A combined with Gilhousen 652.  Obvious in light of IS-95-A combined with Tiedemann or Zehavi.  Obvious in light of Anderson combined with Gilhousen 652.  Obvious in light of Anderson combined with Tiedemann or Zehavi.  Obvious in light of Mohanty combined with Gilhousen 652.  Obvious in light of Mohanty combined with Tiedemann or Zehavi.  Obvious in light of Miller combined with Gilhousen 652.  Obvious in light of Miller combined with Tiedemann or Zehavi.  Obvious in light of Murai combined with Gilhousen 652.  Obvious in light of Murai combined with Tiedemann or Zehavi.</p>
Claim 8	<p>Anticipated and/or obvious* in light of Gitlin.  Anticipated and/or obvious* in light of Anderson.  Anticipated and/or obvious* in light of IS-95-A.  Anticipated and/or obvious* in light of the PCS System described by Tiedemann.  Anticipated and/or obvious* in light of Murai.</p> <p>Obvious in light of Leppanen combined with Gilhousen 652.  Obvious in light of Leppanen combined with Tiedemann or Zehavi.  Obvious in light of Gitlin combined with Gilhousen 652.</p>

326 Patent	Invalidity Opinions
	<p>Obvious in light of Gitlin combined with Tiedemann or Zehavi.  Obvious in light of Sato combined with Gilhousen 652.  Obvious in light of Sato combined with Tiedemann or Zehavi.  Obvious in light of IS-95-A combined with Gilhousen 652.  Obvious in light of IS-95-A combined with Tiedemann or Zehavi.  Obvious in light of Anderson combined with Gilhousen 652.  Obvious in light of Anderson combined with Tiedemann or Zehavi.  Obvious in light of Mohanty combined with Gilhousen 652.  Obvious in light of Mohanty combined with Tiedemann or Zehavi.  Obvious in light of Miller combined with Gilhousen 652.  Obvious in light of Miller combined with Tiedemann or Zehavi.  Obvious in light of Murai combined with Gilhousen 652.  Obvious in light of Murai combined with Tiedemann or Zehavi.</p>
Claim 9	<p>Anticipated and/or obvious* in light of Gitlin.  Anticipated and/or obvious* in light of Anderson.  Anticipated and/or obvious* in light of IS-95-A.  Anticipated and/or obvious* in light of the PCS System described by Tiedemann.  Anticipated and/or obvious* in light of Murai.</p> <p>Obvious in light of Gitlin combined with IS-95-A.  Obvious in light of Gitlin combined with Miller.  Obvious in light of Leppanen combined with Gilhousen 652.  Obvious in light of Leppanen combined with Tiedemann or Zehavi.  Obvious in light of Gitlin combined with Gilhousen 652.  Obvious in light of Gitlin combined with Tiedemann or Zehavi.  Obvious in light of Sato combined with Gilhousen 652.  Obvious in light of Sato combined with Tiedemann or Zehavi.  Obvious in light of IS-95-A combined with Gilhousen 652.  Obvious in light of IS-95-A combined with Tiedemann or Zehavi.  Obvious in light of Anderson combined with Gilhousen 652.  Obvious in light of Anderson combined with Tiedemann or Zehavi.  Obvious in light of Mohanty combined with Gilhousen 652.  Obvious in light of Mohanty combined with Tiedemann or Zehavi.  Obvious in light of Miller combined with Gilhousen 652.  Obvious in light of Miller combined with Tiedemann or Zehavi.  Obvious in light of Murai combined with Gilhousen 652.  Obvious in light of Murai combined with Tiedemann or Zehavi.</p>
Claim 10	<p>Anticipated and/or obvious* in light of Gitlin.  Anticipated and/or obvious* in light of Anderson.  Anticipated and/or obvious* in light of IS-95-A.  Anticipated and/or obvious* in light of the PCS System described by Tiedemann.  Anticipated and/or obvious* in light of Murai.</p> <p>Obvious in light of Gitlin combined with IS-95-A.  Obvious in light of Gitlin combined with Miller.  Obvious in light of Leppanen combined with Gilhousen 652.  Obvious in light of Leppanen combined with Tiedemann or Zehavi.  Obvious in light of Gitlin combined with Gilhousen 652.</p>

326 Patent	Invalidity Opinions
	<p>Obvious in light of Gitlin combined with Tiedemann or Zehavi.  Obvious in light of Sato combined with Gilhousen 652.  Obvious in light of Sato combined with Tiedemann or Zehavi.  Obvious in light of IS-95-A combined with Gilhousen 652.  Obvious in light of IS-95-A combined with Tiedemann or Zehavi.  Obvious in light of Anderson combined with Gilhousen 652.  Obvious in light of Anderson combined with Tiedemann or Zehavi.  Obvious in light of Mohanty combined with Gilhousen 652.  Obvious in light of Mohanty combined with Tiedemann or Zehavi.  Obvious in light of Miller combined with Gilhousen 652.  Obvious in light of Miller combined with Tiedemann or Zehavi.  Obvious in light of Murai combined with Gilhousen 652.  Obvious in light of Murai combined with Tiedemann or Zehavi.</p>

**B. The Asserted Claims of the 211 Patent are Invalid**

400. It is my opinion that the Asserted Claims of the 211 Patent are invalid for at least the reasons shown in the following table.

211 Patent	Invalidity Opinions
Claim 1	<p>Anticipated and/or obvious* in light of Leppanen.  Anticipated and/or obvious* in light of Gitlin.  Anticipated and/or obvious* in light of Sato.  Anticipated and/or obvious* in light of IS-95-A.  Anticipated and/or obvious* in light of the PCS System described by Tiedemann.  Anticipated and/or obvious* in light of Anderson.  Anticipated and/or obvious* in light of Mohanty.  Anticipated and/or obvious* in light of Miller.  Anticipated and/or obvious* in light of Murai.</p> <p>Obvious in light of Leppanen combined with Gilhousen 652.  Obvious in light of Leppanen combined with Tiedemann or Zehavi.  Obvious in light of Gitlin combined with Gilhousen 652.  Obvious in light of Gitlin combined with Tiedemann or Zehavi.  Obvious in light of Sato combined with Gilhousen 652.  Obvious in light of Sato combined with Tiedemann or Zehavi.  Obvious in light of IS-95-A combined with Gilhousen 652.  Obvious in light of IS-95-A combined with Tiedemann or Zehavi.  Obvious in light of Anderson combined with Gilhousen 652.  Obvious in light of Anderson combined with Tiedemann or Zehavi.  Obvious in light of Mohanty combined with Gilhousen 652.  Obvious in light of Mohanty combined with Tiedemann or Zehavi.  Obvious in light of Miller combined with Gilhousen 652.  Obvious in light of Miller combined with Tiedemann or Zehavi.  Obvious in light of Murai combined with Gilhousen 652.  Obvious in light of Murai combined with Tiedemann or Zehavi.</p>
Claim 2	Anticipated and/or obvious* in light of Gitlin.

211 Patent	Invalidity Opinions
	<p>Anticipated and/or obvious* in light of Anderson.</p> <p>Anticipated and/or obvious* in light of the PCS System described by Tiedemann.</p> <p>Anticipated and/or obvious* in light of Murai.</p> <p>Obvious in light of IS-95-A.</p> <p>Obvious in light of Leppanen combined with Gilhousen 652.</p> <p>Obvious in light of Leppanen combined with Tiedemann or Zehavi.</p> <p>Obvious in light of Gitlin combined with Gilhousen 652.</p> <p>Obvious in light of Gitlin combined with Tiedemann or Zehavi.</p> <p>Obvious in light of Sato combined with Gilhousen 652.</p> <p>Obvious in light of Sato combined with Tiedemann or Zehavi.</p> <p>Obvious in light of IS-95-A combined with Gilhousen 652.</p> <p>Obvious in light of IS-95-A combined with Tiedemann or Zehavi.</p> <p>Obvious in light of Anderson combined with Gilhousen 652.</p> <p>Obvious in light of Anderson combined with Tiedemann or Zehavi.</p> <p>Obvious in light of Mohanty combined with Gilhousen 652.</p> <p>Obvious in light of Mohanty combined with Tiedemann or Zehavi.</p> <p>Obvious in light of Miller combined with Gilhousen 652.</p> <p>Obvious in light of Miller combined with Tiedemann or Zehavi.</p> <p>Obvious in light of Murai combined with Gilhousen 652.</p> <p>Obvious in light of Murai combined with Tiedemann or Zehavi.</p>
Claim 3	<p>Anticipated and/or obvious* in light of Leppanen.</p> <p>Anticipated and/or obvious* in light of Gitlin.</p> <p>Anticipated and/or obvious* in light of Sato.</p> <p>Anticipated and/or obvious* in light of IS-95-A.</p> <p>Anticipated and/or obvious* in light of the PCS System described by Tiedemann.</p> <p>Anticipated and/or obvious* in light of Anderson.</p> <p>Anticipated and/or obvious* in light of Mohanty.</p> <p>Anticipated and/or obvious* in light of Miller.</p> <p>Anticipated and/or obvious* in light of Murai.</p> <p>Obvious in light of Leppanen combined with Mohanty.</p> <p>Obvious in light of Gitlin combined with Mohanty.</p> <p>Obvious in light of Sato combined with Mohanty.</p> <p>Obvious in light of IS-95-A combined with Mohanty.</p> <p>Obvious in light of Anderson combined with Mohanty.</p> <p>Obvious in light of Miller combined with Mohanty.</p> <p>Obvious in light of Leppanen combined with Gilhousen 652.</p> <p>Obvious in light of Leppanen combined with Tiedemann or Zehavi.</p> <p>Obvious in light of Gitlin combined with Gilhousen 652.</p> <p>Obvious in light of Gitlin combined with Tiedemann or Zehavi.</p> <p>Obvious in light of Sato combined with Gilhousen 652.</p> <p>Obvious in light of Sato combined with Tiedemann or Zehavi.</p> <p>Obvious in light of IS-95-A combined with Gilhousen 652.</p> <p>Obvious in light of IS-95-A combined with Tiedemann or Zehavi.</p> <p>Obvious in light of Anderson combined with Gilhousen 652.</p> <p>Obvious in light of Anderson combined with Tiedemann or Zehavi.</p> <p>Obvious in light of Mohanty combined with Gilhousen 652.</p>

211 Patent	Invalidity Opinions
	<p>Obvious in light of Mohanty combined with Tiedemann or Zehavi.  Obvious in light of Miller combined with Gilhousen 652.  Obvious in light of Miller combined with Tiedemann or Zehavi.  Obvious in light of Murai combined with Mohanty.  Obvious in light of Murai combined with Gilhousen 652.  Obvious in light of Murai combined with Tiedemann or Zehavi.</p>
Claim 4	<p>Anticipated and/or obvious* in light of Leppanen.  Anticipated and/or obvious* in light of Gitlin.  Anticipated and/or obvious* in light of Sato.  Anticipated and/or obvious* in light of IS-95-A.  Anticipated and/or obvious* in light of the PCS System described by Tiedemann.  Anticipated and/or obvious* in light of Anderson.  Anticipated and/or obvious* in light of Mohanty.  Anticipated and/or obvious* in light of Miller.  Anticipated and/or obvious* in light of Murai.</p> <p>Obvious in light of Leppanen combined with Mohanty.  Obvious in light of Gitlin combined with Mohanty.  Obvious in light of Sato combined with Mohanty.  Obvious in light of IS-95-A combined with Mohanty.  Obvious in light of Leppanen combined with Gilhousen 652.  Obvious in light of Leppanen combined with Tiedemann or Zehavi.  Obvious in light of Gitlin combined with Gilhousen 652.  Obvious in light of Gitlin combined with Tiedemann or Zehavi.  Obvious in light of Sato combined with Gilhousen 652.  Obvious in light of Sato combined with Tiedemann or Zehavi.  Obvious in light of IS-95-A combined with Gilhousen 652.  Obvious in light of IS-95-A combined with Tiedemann or Zehavi.  Obvious in light of Anderson combined with Gilhousen 652.  Obvious in light of Anderson combined with Tiedemann or Zehavi.  Obvious in light of Mohanty combined with Gilhousen 652.  Obvious in light of Mohanty combined with Tiedemann or Zehavi.  Obvious in light of Miller combined with Gilhousen 652.  Obvious in light of Miller combined with Tiedemann or Zehavi.  Obvious in light of Murai combined with Mohanty.  Obvious in light of Murai combined with Gilhousen 652.  Obvious in light of Murai combined with Tiedemann or Zehavi.</p>
Claim 5	<p>Anticipated and/or obvious* in light of Gitlin.  Anticipated and/or obvious* in light of Anderson.  Anticipated and/or obvious* in light of the PCS System described by Tiedemann.  Anticipated and/or obvious* in light of Murai.  Obvious in light of IS-95-A.</p> <p>Obvious in light of Leppanen combined with Gilhousen 652.  Obvious in light of Leppanen combined with Tiedemann or Zehavi.  Obvious in light of Gitlin combined with Gilhousen 652.  Obvious in light of Gitlin combined with Tiedemann or Zehavi.  Obvious in light of Sato combined with Gilhousen 652.</p>

211 Patent	Invalidity Opinions
	<p>Obvious in light of Sato combined with Tiedemann or Zehavi.</p> <p>Obvious in light of IS-95-A combined with Gilhousen 652.</p> <p>Obvious in light of IS-95-A combined with Tiedemann or Zehavi.</p> <p>Obvious in light of Anderson combined with Gilhousen 652.</p> <p>Obvious in light of Anderson combined with Tiedemann or Zehavi.</p> <p>Obvious in light of Mohanty combined with Gilhousen 652.</p> <p>Obvious in light of Mohanty combined with Tiedemann or Zehavi.</p> <p>Obvious in light of Miller combined with Gilhousen 652.</p> <p>Obvious in light of Miller combined with Tiedemann or Zehavi.</p> <p>Obvious in light of Murai combined with Gilhousen 652.</p> <p>Obvious in light of Murai combined with Tiedemann or Zehavi.</p>

**C. The Asserted Claims of the 819 Patent Are Invalid**

401. It is my opinion that the Asserted Claims of the 819 Patent are invalid for at least the reasons shown in the following table.

819 Patent	Invalidity Opinions
Claim 1	<p>Anticipated and/or obvious* in light of the PCS System described by Tiedemann.</p> <p>Anticipated and/or obvious* in light of Gitlin.</p> <p>Anticipated and/or obvious* in light of Gilhousen 652.</p> <p>Anticipated and/or obvious* in light of Zehavi.</p> <p>Anticipated and/or obvious* in light of Murai.</p> <p>Anticipated and/or obvious* in light of Zehavi 497.</p> <p>Anticipated and/or obvious* in light of Sawahashi.</p> <p>Obvious in light of IS-95-A.</p> <p>Obvious in light of IS-95-A combined with Gilhousen 652.</p> <p>Obvious in light of IS-95-A combined with Tiedemann or Zehavi.</p> <p>Obvious in light of IS-95-A combined with Murai.</p> <p>Obvious in light of IS-95-A combined with Zehavi 497.</p> <p>Obvious in light of IS-95-A combined with Sawahashi.</p> <p>Obvious in light of Gitlin combined with Gilhousen 652.</p> <p>Obvious in light of Gitlin combined with Tiedemann or Zehavi.</p> <p>Obvious in light of Gitlin combined with Murai.</p> <p>Obvious in light of Gitlin combined with Zehavi 497.</p> <p>Obvious in light of Gitlin combined with Sawahashi.</p>
Claim 2	<p>Anticipated and/or obvious* in light of the PCS System described by Tiedemann.</p> <p>Anticipated and/or obvious* in light of Gitlin.</p> <p>Anticipated and/or obvious* in light of Gilhousen 652.</p> <p>Anticipated and/or obvious* in light of Zehavi.</p> <p>Anticipated and/or obvious* in light of Murai.</p> <p>Anticipated and/or obvious* in light of Zehavi 497.</p> <p>Anticipated and/or obvious* in light of Sawahashi.</p> <p>Obvious in light of IS-95-A.</p> <p>Obvious in light of IS-95-A combined with Gilhousen 652.</p>

819 Patent	Invalidity Opinions
	<p>Obvious in light of IS-95-A combined with Murai.  Obvious in light of IS-95-A combined with Zehavi 497.  Obvious in light of Gitlin combined with Gilhousen 652.  Obvious in light of Gitlin combined with Tiedemann or Zehavi.  Obvious in light of Gitlin combined with IS-95-A.  Obvious in light of Gitlin combined with Tiedemann or Zehavi and IS-95-A.  Obvious in light of Gitlin combined with Murai.  Obvious in light of Gitlin combined with Zehavi 497.</p>
Claim 9	<p>Anticipated and/or obvious* in light of the PCS System described by Tiedemann.  Anticipated and/or obvious* in light of Gitlin.  Anticipated and/or obvious* in light of Gilhousen 652.  Anticipated and/or obvious* in light of Zehavi.  Anticipated and/or obvious* in light of Murai.  Anticipated and/or obvious* in light of Zehavi 497.  Anticipated and/or obvious* in light of Sawahashi.  Obvious in light of IS-95-A.</p> <p>Obvious in light of IS-95-A combined with Gilhousen 652.  Obvious in light of IS-95-A combined with Tiedemann or Zehavi.  Obvious in light of IS-95-A combined with Murai.  Obvious in light of IS-95-A combined with Zehavi 497.  Obvious in light of Gitlin combined with Gilhousen 652.  Obvious in light of Gitlin combined with Tiedemann or Zehavi.  Obvious in light of Gitlin combined with IS-95-A.  Obvious in light of Gitlin combined with Tiedemann or Zehavi and IS-95-A.  Obvious in light of Gitlin combined with Murai.  Obvious in light of Gitlin combined with Zehavi 497.</p>
Claim 10	<p>Anticipated and/or obvious* in light of the PCS System described by Tiedemann.  Anticipated and/or obvious* in light of Gitlin.  Anticipated and/or obvious* in light of Gilhousen 652.  Anticipated and/or obvious* in light of Zehavi.  Anticipated and/or obvious* in light of Murai.  Anticipated and/or obvious* in light of Zehavi 497.  Anticipated and/or obvious* in light of Sawahashi.  Obvious in light of IS-95-A.</p> <p>Obvious in light of IS-95-A combined with Gilhousen 652.  Obvious in light of IS-95-A combined with Tiedemann or Zehavi.  Obvious in light of IS-95-A combined with Murai.  Obvious in light of IS-95-A combined with Zehavi 497.  Obvious in light of Gitlin combined with Gilhousen 652.  Obvious in light of Gitlin combined with Tiedemann or Zehavi.  Obvious in light of Gitlin combined with IS-95-A.  Obvious in light of Gitlin combined with Tiedemann or Zehavi and IS-95-A.  Obvious in light of Gitlin combined with Murai.  Obvious in light of Gitlin combined with Zehavi 497.</p>
Claim 11	<p>Anticipated and/or obvious* in light of the PCS System described by Tiedemann.  Anticipated and/or obvious* in light of Gitlin.</p>

819 Patent	Invalidity Opinions
	<p>Anticipated and/or obvious* in light of Gilhousen 652.  Anticipated and/or obvious* in light of Zehavi.  Anticipated and/or obvious* in light of Murai.  Anticipated and/or obvious* in light of Sawahashi.  Obvious in light of IS-95-A.</p> <p>Obvious in light of IS-95-A combined with Gilhousen 652.  Obvious in light of IS-95-A combined with Tiedemann or Zehavi.  Obvious in light of IS-95-A combined with Murai.  Obvious in light of IS-95-A combined with Zehavi 497.  Obvious in light of Gitlin combined with Gilhousen 652.  Obvious in light of Gitlin combined with Tiedemann or Zehavi.  Obvious in light of Gitlin combined with IS-95-A.  Obvious in light of Gitlin combined with Tiedemann or Zehavi and IS-95-A.  Obvious in light of Gitlin combined with Murai.  Obvious in light of Gitlin combined with Zehavi 497.</p>
Claim 12	<p>Claim is indefinite and/or lacks written description and is not enabled for at least the reasons stated in section IX above.</p> <p>Alternatively, if this claim is not found to be indefinite.</p> <p>Anticipated and/or obvious* in light of the PCS System described by Tiedemann.  Anticipated and/or obvious* in light of Gitlin.  Anticipated and/or obvious* in light of Gilhousen 652.  Anticipated and/or obvious* in light of Zehavi.  Anticipated and/or obvious* in light of Murai.  Anticipated and/or obvious* in light of Zehavi 497.  Anticipated and/or obvious* in light of Sawahashi.  Obvious in light of IS-95-A.</p> <p>Obvious in light of IS-95-A combined with Gilhousen 652.  Obvious in light of IS-95-A combined with Tiedemann or Zehavi.  Obvious in light of IS-95-A combined with Murai.  Obvious in light of IS-95-A combined with Zehavi 497.  Obvious in light of Gitlin combined with Gilhousen 652.  Obvious in light of Gitlin combined with Tiedemann or Zehavi.  Obvious in light of Gitlin combined with Murai.  Obvious in light of Gitlin combined with Zehavi 497.</p>
Claim 13	<p>Claim is indefinite and/or lacks written description and is not enabled for at least the reasons stated in section IX above.</p> <p>Alternatively, if this claim is not found to be indefinite.</p> <p>Anticipated and/or obvious* in light of the PCS System described by Tiedemann.  Anticipated and/or obvious* in light of Gitlin.  Anticipated and/or obvious* in light of Gilhousen 652.  Anticipated and/or obvious* in light of Zehavi.  Anticipated and/or obvious* in light of Murai.</p>

**D. The Asserted Claims of the 327 Patent Are Invalid**

402. It is my opinion that the Asserted Claims of the 327 Patent are invalid for at least the reasons shown in the following table.

<b>327 Patent</b>	<b>Invalidity Opinions</b>
Claim 1	<p>Anticipated and/or obvious* in light of Ishikawa.            Anticipated and/or obvious* in light of Andersson.            Anticipated and/or obvious* in light of Jones.            Anticipated and/or obvious* in light of Gitlin.</p> <p>Obvious in light of Ishikawa combined with Gilhousen 652.            Obvious in light of Andersson combined with Gilhousen 652.            Obvious in light of Jones combined with Gilhousen 652.            Obvious in light of Gitlin combined with Gilhousen 652.</p>
Claim 2	<p>Anticipated and/or obvious* in light of Ishikawa.            Anticipated and/or obvious* in light of Andersson.            Anticipated and/or obvious* in light of Jones.            Anticipated and/or obvious* in light of Gitlin.</p> <p>Obvious in light of Ishikawa combined with Gilhousen 652.            Obvious in light of Andersson combined with Gilhousen 652.            Obvious in light of Jones combined with Gilhousen 652.            Obvious in light of Gitlin combined with Gilhousen 652.</p>
Claim 5	<p>Anticipated and/or obvious* in light of Ishikawa.            Anticipated and/or obvious* in light of Andersson.            Anticipated and/or obvious* in light of Jones.            Anticipated and/or obvious* in light of Gitlin.</p> <p>Obvious in light of Ishikawa combined with Gilhousen 652.            Obvious in light of Andersson combined with Gilhousen 652.            Obvious in light of Jones combined with Gilhousen 652.            Obvious in light of Gitlin combined with Gilhousen 652.</p>
Claim 6	<p>Anticipated and/or obvious* in light of Ishikawa.            Anticipated and/or obvious* in light of Andersson.            Anticipated and/or obvious* in light of Jones.            Anticipated and/or obvious* in light of Gitlin.</p> <p>Obvious in light of Ishikawa combined with Gilhousen 652.            Obvious in light of Andersson combined with Gilhousen 652.            Obvious in light of Jones combined with Gilhousen 652.            Obvious in light of Gitlin combined with Gilhousen 652.</p>
Claim 8	<p>Anticipated and/or obvious* in light of Ishikawa.            Anticipated and/or obvious* in light of Jones.            Anticipated and/or obvious* in light of Gitlin.</p> <p>Obvious in light of Ishikawa combined with Gilhousen 652.            Obvious in light of Jones combined with Gilhousen 652.</p>

327 Patent	Invalidity Opinions
Claim 10	<p>Obvious in light of Gitlin combined with Gilhousen 652.</p> <p>Anticipated and/or obvious* in light of Ishikawa.  Anticipated and/or obvious* in light of Andersson.  Anticipated and/or obvious* in light of Jones.  Anticipated and/or obvious* in light of Gitlin.</p> <p>Obvious in light of Ishikawa combined with Gilhousen 652.  Obvious in light of Andersson combined with Gilhousen 652.  Obvious in light of Jones combined with Gilhousen 652.  Obvious in light of Gitlin combined with Gilhousen 652.</p>
Claim 11	<p>Anticipated and/or obvious* in light of Ishikawa.  Anticipated and/or obvious* in light of Andersson.  Anticipated and/or obvious* in light of Jones.  Anticipated and/or obvious* in light of Gitlin.</p> <p>Obvious in light of Ishikawa combined with Gilhousen 652.  Obvious in light of Andersson combined with Gilhousen 652.  Obvious in light of Jones combined with Gilhousen 652.  Obvious in light of Gitlin combined with Gilhousen 652.</p>
Claim 12	<p>Anticipated and/or obvious* in light of Ishikawa.  Anticipated and/or obvious* in light of Andersson.  Anticipated and/or obvious* in light of Jones.  Anticipated and/or obvious* in light of Gitlin.</p> <p>Obvious in light of Ishikawa combined with Gilhousen 652.  Obvious in light of Andersson combined with Gilhousen 652.  Obvious in light of Jones combined with Gilhousen 652.  Obvious in light of Gitlin combined with Gilhousen 652.</p>
Claim 13	<p>Anticipated and/or obvious* in light of Gitlin.  Obvious in light of Ishikawa.  Obvious in light of Andersson.  Obvious in light of Jones.</p> <p>Obvious in light of Ishikawa combined with Gilhousen 652.  Obvious in light of Ishikawa combined with IS-95-A.  Obvious in light of Ishikawa combined with Tiedemann.  Obvious in light of Ishikawa combined with Gitlin.  Obvious in light of Ishikawa combined with Zehavi.  Obvious in light of Andersson combined with Gilhousen 652.  Obvious in light of Andersson combined with IS-95-A.  Obvious in light of Andersson combined with Tiedemann.  Obvious in light of Andersson combined with Gitlin.  Obvious in light of Andersson combined with Zehavi.  Obvious in light of Jones combined with Gilhousen 652.  Obvious in light of Jones combined with IS-95-A.  Obvious in light of Jones combined with Tiedemann.  Obvious in light of Jones combined with Gitlin.  Obvious in light of Jones combined with Zehavi.</p>