

EXHIBIT P

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

APPLE INC. and NeXT SOFTWARE INC.
(f/k/a NeXT COMPUTER, INC.),

Plaintiffs,

v.

MOTOROLA, INC. and MOTOROLA
MOBILITY, INC.

Defendants.

Case No. 10-CV-662 (BBC)

JURY TRIAL DEMANDED

PLAINTIFFS' AMENDED INVALIDITY CONTENTIONS

Pursuant to the Court's Preliminary Pretrial Conference Order, and the Parties' agreement, Plaintiffs and Counter-Defendants Apple Inc. and NeXT Software Inc., (collectively referred to as "Apple") hereby provide their joint amended Invalidation Contentions with respect to the claims identified by Defendants Motorola, Inc. and Motorola Mobility, Inc. ("Motorola").

Apple received Motorola's Infringement Contentions on March 18, 2011. Apple objects to Motorola's Infringement Contentions as vague and ambiguous, and no position that Apple takes about the disclosure of the prior art in these Invalidation Contentions should be viewed as an admission that any portion of the accused products practices any portion of the asserted claims. These Invalidation Contentions are based on claim constructions implied by Motorola's infringement allegations, as set forth in its Infringement Contentions, and/or claim constructions that may be adopted by the Court in this matter. Nothing in these Invalidation Contentions should be understood or deemed to be an express or implied admission or contention with respect to the proper construction of any terms contained within the asserted claims. Apple will offer its

the inventors had in their possession a method for providing cryptographic protection of a data stream that involves communicating an overflow sequence number on the physical layer.

E. The '193 Patent

1. Anticipation and Obviousness

Appendix E contains a listing of the prior art references that anticipate and/or render obvious one or more asserted claims of the '193 patent. Attached as Exhibits E1 - E8 are charts identifying where specifically in each respective item of prior art, or specific prior art combinations, each element of the asserted claims is found. Each anticipatory prior art reference disclosed, either alone or in combination with other prior art, renders the asserted claims invalid as obvious. In particular, each anticipatory prior art reference may be combined with (1) information known to persons skilled in the art at the time of the alleged invention, (2) any of the other anticipatory prior art references, and/or (3) any of the additional prior art identified in Appendix E. To the extent Motorola contends that any of the anticipatory prior art fails to disclose one or more limitations of the asserted claims, Apple reserves the right to identify other prior art that would supply any such limitation(s) which, when combined with the contested anticipatory prior art, would render the claimed subject matter obvious.

2. Invalidity under 35 U.S.C. § 112

One or more claims of the '193 patent fail to satisfy one or more of the requirements of 35 U.S.C. § 112 as follows:

All asserted claims are invalid for lack of written description and/or lack of enablement because the patent provides no teaching of a method of authentication in a system that is not a cellular telephone communication system, and one of ordinary skill, upon reading the '193 patent, would not conclude that the inventors had in their possession a method of authentication in a system that is not a cellular telephone communication system.