Green—i.e., taking detected velocity and duration of velocity data and comparing such data with values indicative of being in a vehicle—is consistent with the '952 patent's disclosures. In particular, the '952 patent states that the "device 202 may detect at least one of many parameters" and that "[d]atabase 204 may have stored therein known parameters values that are indicative of being in a vehicle." Ex. 1001, '952 patent at 7:66-8:1. The device may then compare detected parameters (in Green, velocity and duration of velocity) with previously stored parameters associated with a vehicle to generate an in-vehicle signal if appropriate. *Id.* at 8:1-7.

264. Accordingly, Wright's processor module 33 is "a mode-determining component operable to detect whether the device is in the vehicle and to generate an in-vehicle signal," and Wright discloses limitation 1[a].

c. 1[b] & 1[c]: "a first detecting component operable [to] detect a first parameter and to generate a first detector signal based on the first detected parameter" & "a second detecting component operable [to] detect a second parameter and to generate a second detector signal based on the second detected parameter"

265. Wright discloses "a first detecting component operable [to] detect a first parameter and to generate a first detector signal based on the first detected parameter" and "a second detecting component operable [to] detect a second parameter and to generate a second detector signal based on the second detected

parameter." As discussed above, Wright discloses using a sensor set that includes an accelerometer 23 and an audio capture module 27. Ex. 1004, Wright at 15:18-20. Each of these sensors is a "detecting component" as that term is used in the '952 patent.

266. As discussed in section V.D above, interpret "first detector signal" to mean "a signal that corresponds to a first detected parameter."

267. Accelerometer 23: The accelerometer 23 is shown in Figure 3 of Wright below:

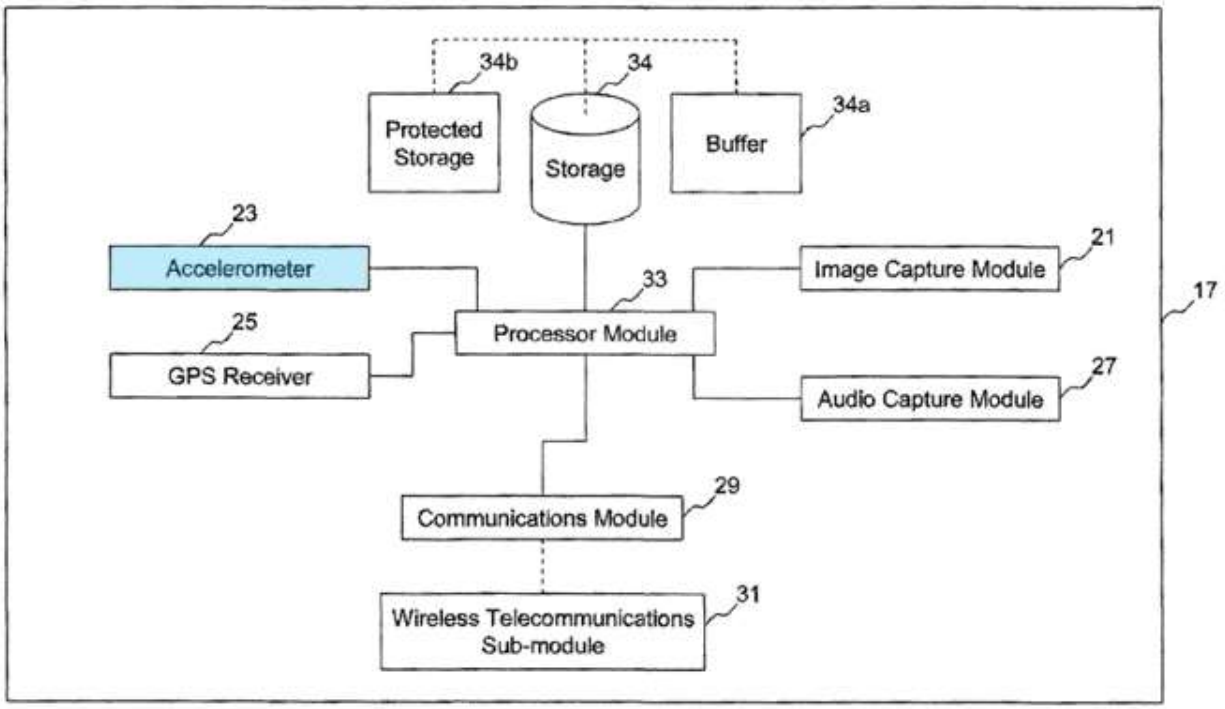


Fig .3

Ex. 1004, Wright at, Fig. 3 (annotated).

268. Wright states: "The accelerometer 23 is arranged to provide

information regarding the motion of the automobile 3 along all three dimensional axes." Ex. 1004, Wright at 15:38-40. Wright further discloses that the accelerometer is "for detecting the **acceleration** of the mobile device." *Id.*, 8:7-8. The '952 patent identifies acceleration as one of the parameters that can be detected by the parameter-detecting component. '952 patent, 6:53-56. Wright's accelerometer 23, therefore, is a "detecting component" as claimed in the '952 patent.

269. Audio capture module 27: The audio capture module 27 is shown in Figure 3 below:

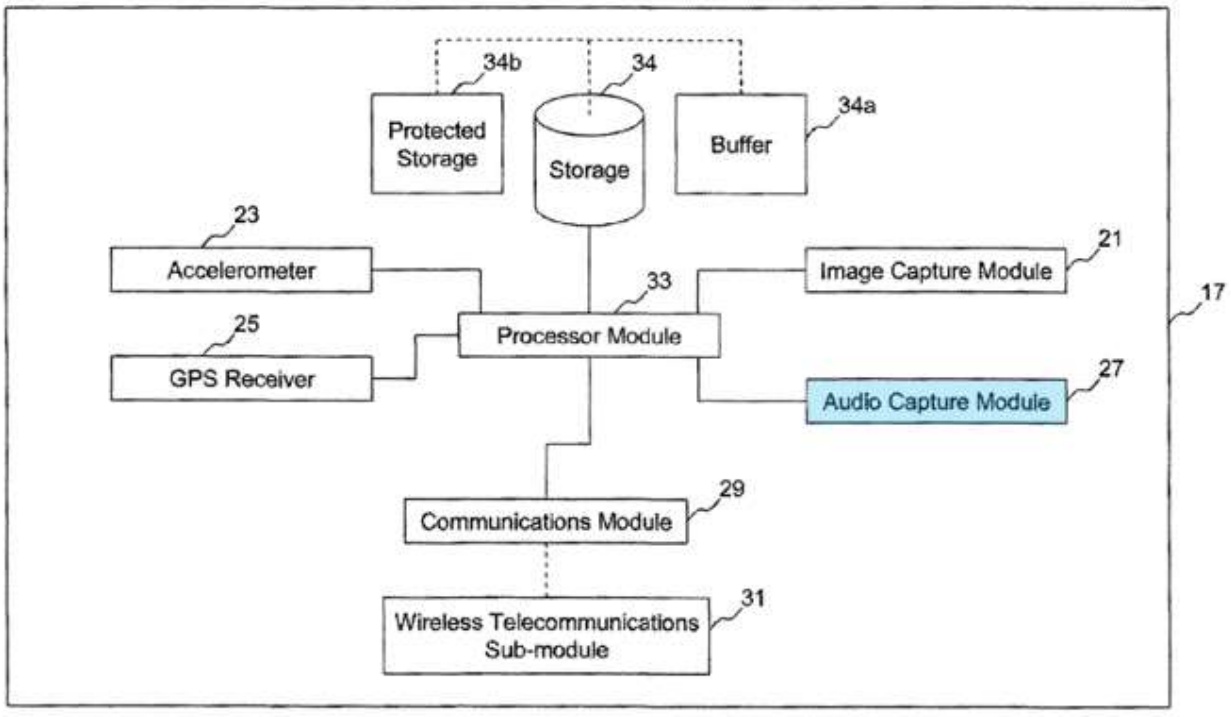


Fig .3

Ex. 1004, Wright at, Fig. 3 (annotated).

270. "The audio capture module 27 provides ***means, such as a microphone,***

for recording audio data, which might be generated by a driving incident." Ex. 1004, Wright at 15:66-16:1. The module may capture sounds external to the vehicle, such as the sound of an impact, as well as sounds internal to the vehicle. *Id.* at 16:1-5. The '952 patent identifies sound as one of the parameters that may be detected by the parameter-detecting component. '952 patent, 6:53-56. Accordingly, Wright's audio capture module 27 is a "detecting component."

271. The types of data collected by Wright's mobile device 17 includes the same types of data included in the specification of the '952 patent. The '952 patent explains that several different types of data can be collected. For example, the '952 patent states that "[p]arameter-detecting component 222 may be any known device or system that is operable to detect a parameter, non-limiting examples of which include … acceleration [and] sound …." '952 patent, 6:53-56. Therefore, Wright's disclosures of data capture modules are consistent with the '952 patent's disclosure of detecting components.

272. For the reasons discussed above, it is my opinion that either of accelerometer 23 and audio capture module 27 may be the "first" or "second" detecting component of claim 1.

273. I have been informed by counsel that it is common in patent parlance to use words like "first" and "second" to distinguish between multiple instances of

the same element (here, "detecting components") rather than using those words to connote any specific sequential order. This common usage of "first" and "second" to distinguish elements is also supported by the '952 patent specification. In my opinion, the specification does not place any significance on the specific order in which the two parameters are detected by the "first" and "second" detecting components; instead, according to the '952 patent, all that matters is that the two parameters are detected at all and used for the crash determination. Ex. 1001, '952 patent at 4:35-37 ("Then the communication device will detect ***at least two parameters*** associated with a vehicle crash."), 16:52-55 ("By detecting a crash based on being in a vehicle and ***based on two additionally detected parameters***, the likelihood of erroneously detecting a crash is greatly reduced."). Indeed, a POSITA would understand that the various detecting components in a smartphone (e.g., accelerometer, microphone) operate independently of each other.

274. Wright's accelerometer 23 and audio capture module 27 also are "operable . . . to generate a [first/second] detector signal based on the [first/second] detected parameter." Wright discloses that sensor data from these components is stored and used by the rest of the system. Wright, 18:49-50 ("Once the driving period has been initiated, ***sensor data is sampled and recorded in storage 34, at step 44***. Additionally, the sampled sensor data is used to generate driving information by

the processor module 33."). In order for sensor data to be stored in a database and subsequently used by an application, a POSITA would understand that the sensor data would need to be transmitted in the form of a signal, as that is how computer components communicate with each other. Thus, accelerometer 23 and audio capture module 27 each operates to "detect a [first/second] parameter and to generate a [first/second] detector signal based on the [first/second] detected parameter." Even if Wright's data capture modules did not already include the ability to generate a signal, a POSITA would have been motivated to design an improved crash detection method that includes a signal from the capture modules to the processor. A POSITA would understand that using a signal to communicate would allow for efficient analysis of the data collected in light of the disclosures of Wright and Green, and would have reasonably expected success in implementing such a signal.

275. Accordingly, Wright in view of Green discloses or renders obvious limitations 1[b] and 1[c].

d. 1[d]: "wherein said mode-determining component is further operable to generate a crash mode signal based on the in-vehicle signal, the first detector signal and the second detector signal"

276. Wright discloses that "said mode-determining component is further operable to generate a crash mode signal based on the in-vehicle signal, the first detector signal and the second detector signal." As I discussed in section VI.C.2.c

above, Wright's processor module 33 is the "mode-determining component" of the '952 patent. For the reasons discussed below, Wright's processor module 33 is further configured to perform the additional functionality recited in claim 1[d].

277. As noted in section V.D above, I have applied the construction of "crash mode signal" to be "a signal that indicates detection of a vehicle crash."

278. In Wright's method, after sensor data has been recorded at step 44 (by the "detecting components," as discussed above), "the sampled sensor data is used to generate driving information by the processor module 33." Ex. 1004, Wright at 18:51-52. Then, "[t]he sampled sensor data and the driving information is continuously analysed by the processor module 33, at step 46." *Id.* at 18:52-54, Fig. 4a (above). Wright's processor module 33 then uses the sensor information to determine if the vehicle has been in a vehicle incident, such as a collision. *Id.* at 18:55-57 ("The processor module 33 determines if a driving incident has been detected, at step 48. This is determined on the basis of the analysis carried out at step 46."). Once a vehicle incident has been confirmed, the system proceeds to store sensor data and driving information in step 50. *Id.* at 18:57-60. A POSITA would understand that the processor module would need to send a signal communicating the vehicle incident in order to trigger the saving of data in step 50. Wright's processor module 33, therefore, is operable to generate a "crash mode signal," i.e.,

"a signal that indicates detection of a vehicle crash." Even if Wright's system did not include a signal communicating the vehicle incident, it would have been obvious to a POSITA to employ such a computer signal, with a reasonable expectation of success, so that the system efficiently detects the crash and stores the appropriate information. *Id.* Therefore, it is my opinion that Wright's processor module 33 is operable to generate a "crash mode signal," i.e., "a signal that indicates detection of a vehicle crash."

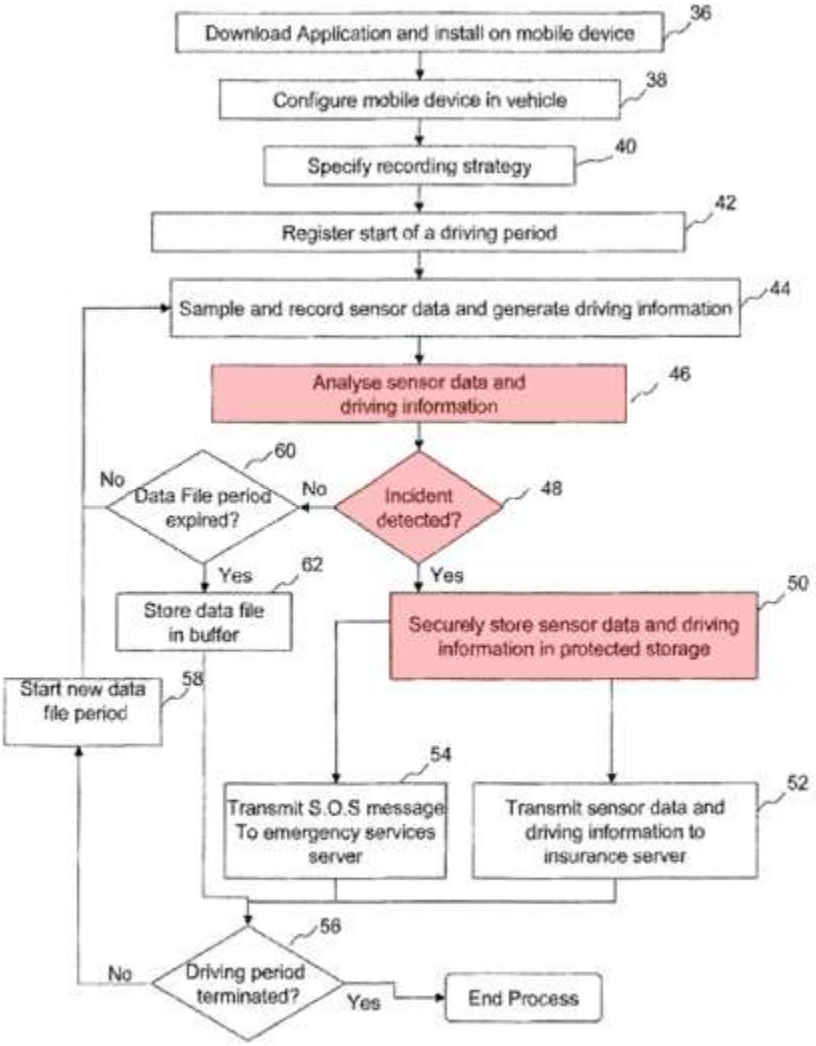


Fig. 4a

Ex. 1004, Wright at Fig. 4a.

279. Wright explains that the incident assessment is based on both the in-vehicle signal and the first and second detector signals. As discussed above, Wright's processor module 33 ("mode-determining component") first determines if the device is in a vehicle. The mobile device 17 does not begin to collect and analyze

sensor data until the start of the driving period has been registered by the processor module 33, i.e., the "mode- determining component" has "generate[d] an in-vehicle signal." Wright, Fig. 4a, 18:30-32 ("The start of a driving period is registered, at step 42. The start of the driving period determines when the recording of sampled sensor data begins."). Therefore, in my opinion, any collection and analysis of data in Wright is based on the in-vehicle signal.

280. Once the start of a driving period has been registered (i.e., an "in-vehicle signal" has been generated), Wright's sensor set collects data. As shown in Figure 4a, the sensor data collected in step 44 is used to analyze whether the vehicle has been in an "incident" (steps 46 and 48), such as a vehicle collision. Wright, 12:58-62 (the mobile device contains a mobile application that "is arranged to record and document the events surrounding an incident involving the vehicle (a 'driving incident'), such as a vehicle collision."). With reference to Figure 4b below, Wright explains that within step 44, the device can analyze data from multiple sensors.

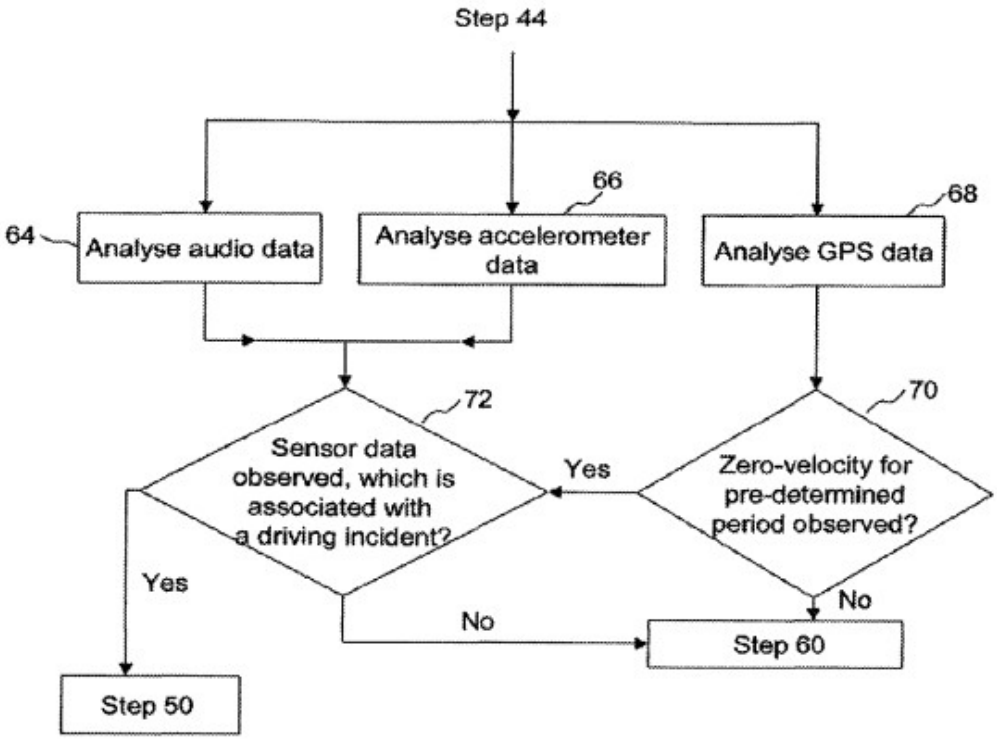


Fig. 4b

Id., Fig. 4b, 20:16-20 (Figure 4b "provides more detail regarding how a driving incident may be automatically detected (i.e. steps 46 and 48 of FIG. 4a) in a preferred embodiment, where the mobile telecommunications device 17 is configured to sample audio data, accelerometer data, and GPS data only.").

281. Wright explains that audio data from the audio capture module 27 can be analyzed by comparing the collected audio data with predetermined audio data representing sounds associated with vehicle incidents. *Id.* at 20:28-35 ("Such sounds may relate to the sound of tyre squeals, the sound of deforming metal, the sound of breaking glass, passenger screaming and/or shouting, the sound of airbag

deployment, and any other sound which may be associated with a driving incident.").

282. Next, Wright discloses that accelerometer data from the accelerometer 23 can be analyzed by comparing the collected acceleration data with predetermined accelerometer data models. *Id.* at 20:48-54 ("The data models represent specific states of motion of the vehicle. For example, this might comprise defining threshold values for yaw, pitch and roll, which if exceeded, indicate a state of motion of the vehicle indicative of a driving incident.").

283. Then, "***[o]n the basis of the audio data analysis and the accelerometer data analysis***, the mobile telecommunications device determines, at step 72, if a driving incident has occurred." *Id.* at 21:21-25. Wright discloses that, if the mobile device determines that a crash has occurred, it proceeds to perform steps 50, 52, and 54 of Figure 4a, which include storing sensor data and driving information in a file, transmitting data to an insurance company, and transmitting an S.O.S. message to emergency services:

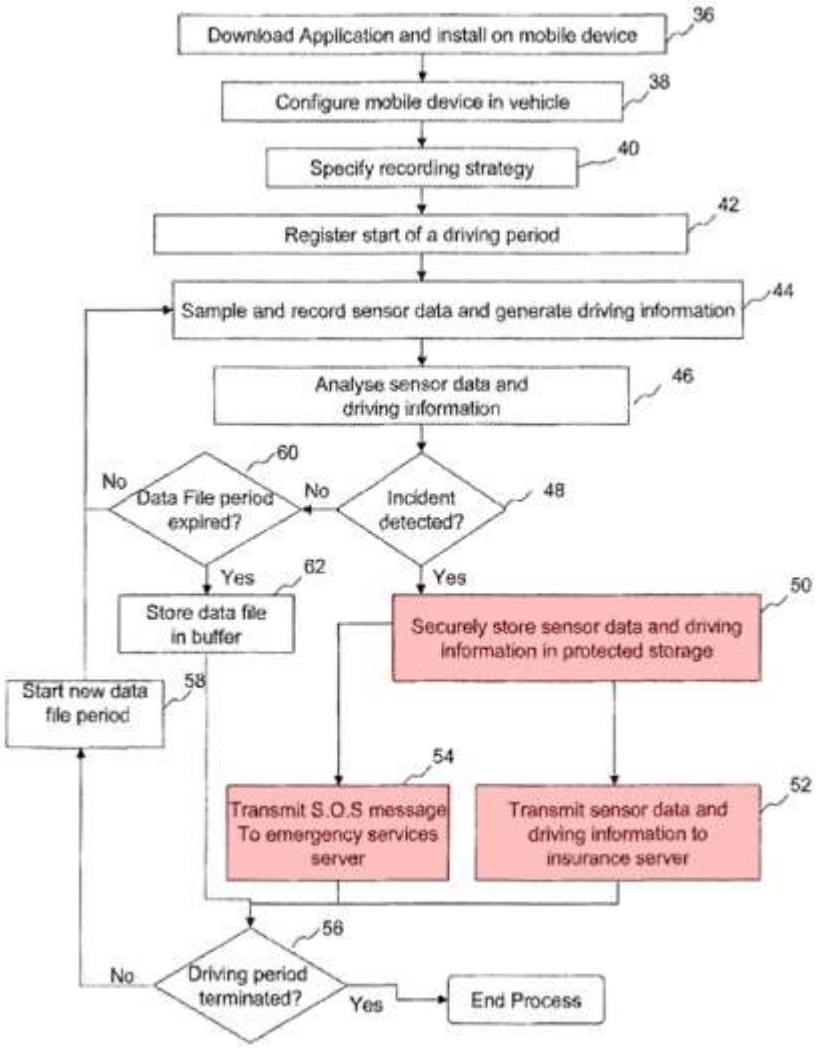


Fig. 4a

Id. at Fig. 4a.

284. These actions taken in Wright are similar to the actions disclosed in the '952 patent as occurring when a crash has been determined. '952 patent, 14:37-39 ("[L]et the crash mode be such a mode wherein predetermined functions of device 202 may be activated, such as ***automatically contacting emergency services***.").

285. In light of the above disclosures, a POSITA would understand that the

processor module must generate a signal indicating a crash has occurred (i.e., the "crash mode signal") to communicate to the rest of the system that these actions should occur. In short, Wright's mobile device generates a "crash mode signal" if (1) the device is confirmed to be in the vehicle and (2) analysis of audio data (a "first detector signal") and accelerometer data (a "second detector signal") indicates that there has been a driving incident, such as a collision.

286. Accordingly, Wright discloses limitation 1[d].

287. Taken together, Wright in view of Green renders obvious claim 1.

3. Claim 2

288. Claim 2 depends on claim 1, which Wright in view of Green renders obvious as discussed above. It is my opinion that Wright also discloses the additional limitation of claim 2: "wherein said first detecting component is operable to detect, as the first parameter, one of the group consisting of magnetic fields in any of three dimensions, electric fields in any of three dimensions, electro-magnetic fields in any of three dimensions, velocity in any of three dimensions, acceleration in any of three dimensions, angular velocity in any of three dimensions, angular acceleration in any of three dimensions, geodetic position, sound, temperature, vibrations in any of three dimensions, pressure in any of three dimensions, biometrics, contents of surrounding atmosphere, a change in electric fields in any of

three dimensions, a change in magnetic fields in any of three dimensions, a change in electro-magnetic fields in any of three dimensions, a change in velocity in any of three dimensions, a change in acceleration in any of three dimensions, a change in angular velocity in any of three dimensions, a change in angular acceleration in any of three dimensions, a change in geodetic position in any of three dimensions, a change in sound, a change in temperature, a change in vibrations in any of three dimensions, a change in pressure in any of three dimensions, a change in biometrics, a change in contents of surrounding atmosphere and combinations thereof."

289. As discussed in section VI.C.2.c above, Wright discloses "a first detecting component operable [to] detect a first parameter and to generate a first detector signal based on the first detected parameter" in the form of an accelerometer 23 or an audio capture module 27.

290. A POSITA would know that the accelerometer 23 can detect at least the following parameters listed in claim 2: "acceleration in any of three dimensions" and "change in acceleration in any of three dimensions." Indeed, Wright states that "it is preferable that the accelerometer is a three-axis accelerometer so that movement of the vehicle may be determined in three-dimensional space." Ex. 1004, Wright at 8:11-14.

291. A POSITA would know that the audio capture module 27 can detect at

least the following parameters listed in claim 2: "sound" and "change in sound." On this point, Wright discloses as follows:

> The audio capture module 27 provides means, such as a microphone, for recording audio data, which might be generated by a driving incident. This includes any sounds generated externally to the vehicle, for example the sound of an impact, or the sound of the crumple zone being crushed. Additionally, sounds generated internally to the vehicle are also recorded. Such audio data may also help to recreate a driving incident, and understanding the causes of the incident.

Id. at 15:66-16:6.

292. Accordingly, Wright in view of Green renders obvious claim 2.

4. Claim 3

293. Claim 3 depends on claim 2, which Wright in view of Green renders obvious as discussed above. It is my opinion that Wright also discloses the additional limitation of claim 3: "wherein said first detecting component is operable to detect, as the first parameter, a parameter associated with deployment of an airbag within the vehicle." As discussed above in Section VI.C.2.c, Wright's audio capture module 27 is a "first detecting component" as claimed in the '952 patent.

294. Wright discloses that, as part of determining whether an accident has occurred, "the analysis of sampled audio data [received from the audio capture module 27], at step 64, may comprise comparing the recorded audio data with

predetermined audio data models representing specific sounds. Such sounds may relate to the sound of tyre squeals, the sound of deforming metal, the sound of breaking glass, passenger screaming and/or shouting, ***the sound of airbag deployment***, and any other sound which may be associated with a driving incident." Ex. 1004, Wright at 20:28-35. In such a scenario, the sound captured by the audio capture module 27 of Wright is "a parameter associated with deployment of an airbag within the vehicle."

295. Accordingly, Wright in view of Green renders obvious claim 3.

5. Claim 4

296. Claim 4 depends on claim 2, which Wright in view of Green renders obvious as discussed above. It is my opinion that Wright also discloses the additional limitations of claim 4: "wherein said first detecting component is operable to detect, as the first parameter, acceleration along a single axis, and wherein said first detecting component is operable to generate the first detector signal when the detected acceleration along the single axis is equal to or greater than a predetermined value." As discussed above in Section VI.C.2.c, Wright's accelerometer 23 is a "first detecting component" as claimed in the '952 patent.

297. Wright discloses that the accelerometer 23 can be a single axis accelerometer. Ex. 1004, Wright at 8:10-11. Accordingly, Wright discloses that

"said first detecting component," i.e., accelerometer 23, "is operable to detect, as the first parameter, acceleration along a single axis."

298. Further, the accelerometer 23 is "operable to generate the first detector signal when the detected acceleration along the single axis is equal to or greater than a predetermined value." Wright discloses that predefined thresholds for acceleration may be used to detect whether a driving incident, such as a collision, has occurred. *See* Ex. 1004, Wright at 19:9-13 ("Predefined threshold values may also be used to automate the detection of a driving incident. For example, each data type and/or derived driving information (e.g. ***acceleration***, velocity, g-force, pitch, roll, yaw etc.) ***may be associated with a threshold value***.").

299. With respect to accelerometer data in particular, Wright states:

> Accelerometer sensor data is also used for deriving driving information such as g-forces. Analysis of g-force data is also used to determine if a driving incident has occurred. For example, approximate g-force values for detecting certain driving incidents are as follows:
>
> > Harsh braking—a deceleration of greater than 2.5 m/s2 or forward G-force of greater than 0.7 G for more than 400 msec.
> >
> > ***Harsh acceleration—from stationary, an acceleration greater than 2.5 m/s2*** or backward G-force of greater than 0.7 G for more than 800 msec.

> Harsh swerving—lateral G-forces greater than 0.7 G for more than 400 msec.

Id. at 20:60-21:5.

300. A POSITA would understand that, in order for the mobile device to make this "harsh acceleration" determination, Wright's accelerometer 23 is continuously providing acceleration data, i.e., generating the "first detector signal," including when the detected acceleration is equal to or greater than a predetermined value, i.e., 2.5 m/s^2.

301. Accordingly, Wright discloses the claim 4 limitation that the "first detecting component," i.e., the accelerometer 23, "is operable to detect, as the first parameter, acceleration along a single axis, and wherein said first detecting component is operable to generate the first detector signal when the detected acceleration along the single axis is equal to or greater than a predetermined value."

302. Wright in view of Green renders obvious claim 4.

6. Claim 5

303. Claim 5 depends on claim 1, which Wright in view of Green renders obvious as discussed above. It is my opinion that Wright also discloses the additional limitation of claim 5: "further comprising a communication component operable to wirelessly communicate with a network."

304. In Figure 3, Wright discloses a communication module that includes a

wireless telecommunications sub-module and an optional wi-fi communications sub-module, both of which allow for wireless communications:

> The communication module 29 provides the mobile telecommunications device 17 with functionality for communicating with the remotely located devices 5, 7, 9, 11 of FIG. 1. The communication module 29 comprises a wireless telecommunications sub-module 31 enabling communication over a telecommunications network. An optional wi-fi communication sub-module is also envisaged.

Ex. 1004, Wright at 16:7-13.

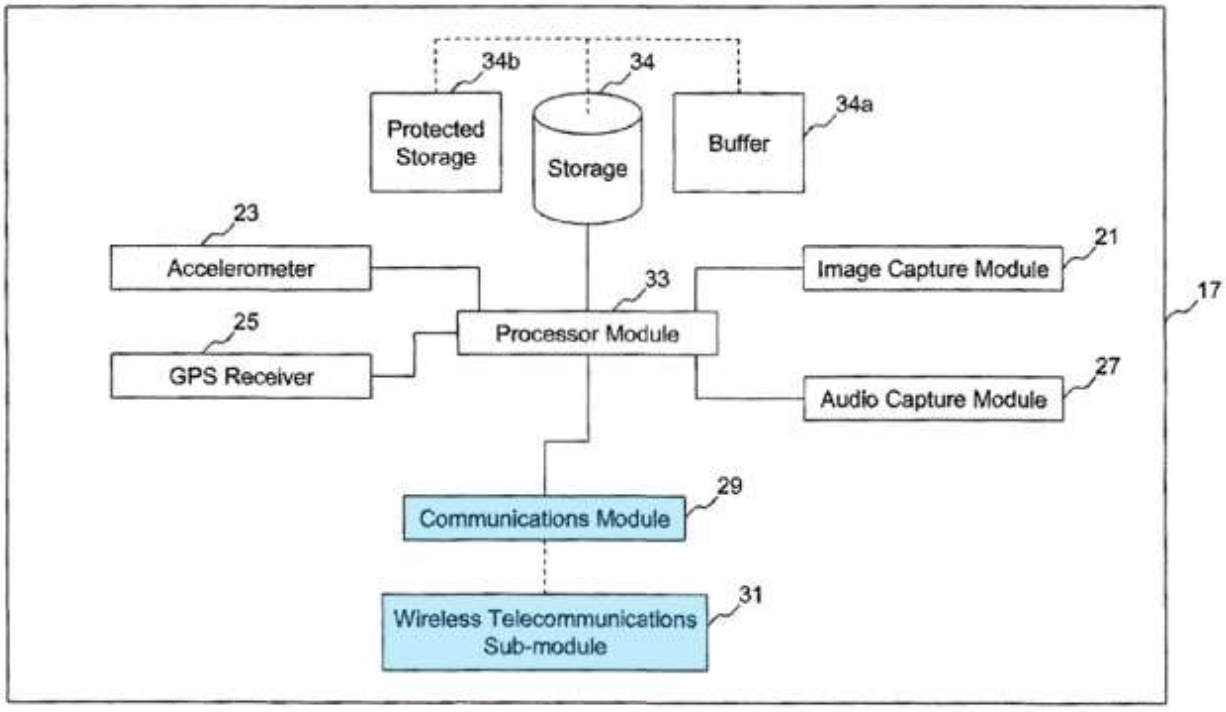


Fig .3

Id. at Fig. 3 (annotated).

305. The communication module 29 of Wright is therefore "a communication component operable to wirelessly communicate with a network."

306. Accordingly, Wright in view of Green renders obvious claim 5.

7. Claim 6

307. Claim 6 depends on claim 1, which Wright in view of Green renders obvious as discussed above. It is my opinion that Wright discloses claim 6, which recites:

> The device of claim 1, further comprising:
>
> an operating component operable to operate in a first mode and a second mode,
>
> wherein said operating component is operable to switch from operating in the first mode to operating in the second mode based on the crash mode signal.

308. In my opinion, a POSITA would understand that Wright's device operates in two modes as related to its crash detection functionality: a normal driving mode and a vehicle incident/crash mode.

309. In the method disclosed in Figure 4a of Wright, once the start of a driving period has been registered (i.e., the "in-vehicle signal" has been generated), the normal operation of the mobile device 17 is to collect sensor data and driving information and analyze that sensor data and driving information to determine whether a driving incident has occurred. *See* Ex. 1004, Wright at Fig. 4a (annotated

below; steps 44, 46).

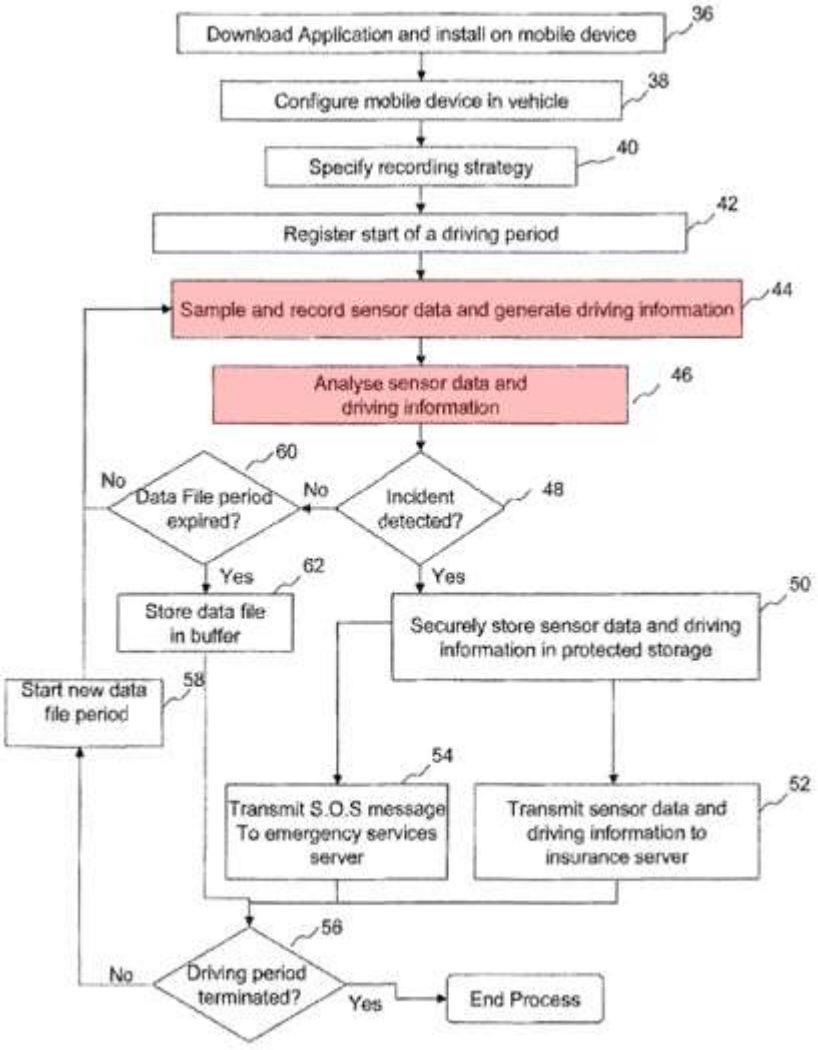


Fig. 4a

Ex. 1004, Wright at Fig. 4a (annotated).

310. A POSITA would understand this normal operation of Wright's mobile device while the device is in the vehicle to be a "first mode," which is "a first mode of operation."

311. This understanding is supported by the '952 patent specification, which

states that the device is placed in "vehicle mode" after the in-vehicle signal has been generated. Ex. 1001, '952 patent at 4:67-5:4 ("In accordance with aspects of the present invention, a communication device may be able to detect the crash of vehicle 102 ***based on being in the vehicle mode*** and based on detecting two parameters . . . .").

312. Next, again with reference to Figure 4a, Wright discloses at step 48 a detection whether a driving incident, such as a collision, has occurred. If so (i.e., a "crash mode signal" has been generated), Wright's mobile device 17 is configured to perform several actions in relation to a crash having occurred. A POSITA would understand that, once the mobile device has been triggered to perform certain actions (described in detail below), the device is operating in a "second mode," which is "a second mode of operation."

313. Steps 50, 52, and 54 of Figure 4a depict exemplary actions taken by Wright's mobile device after a crash has been detected:

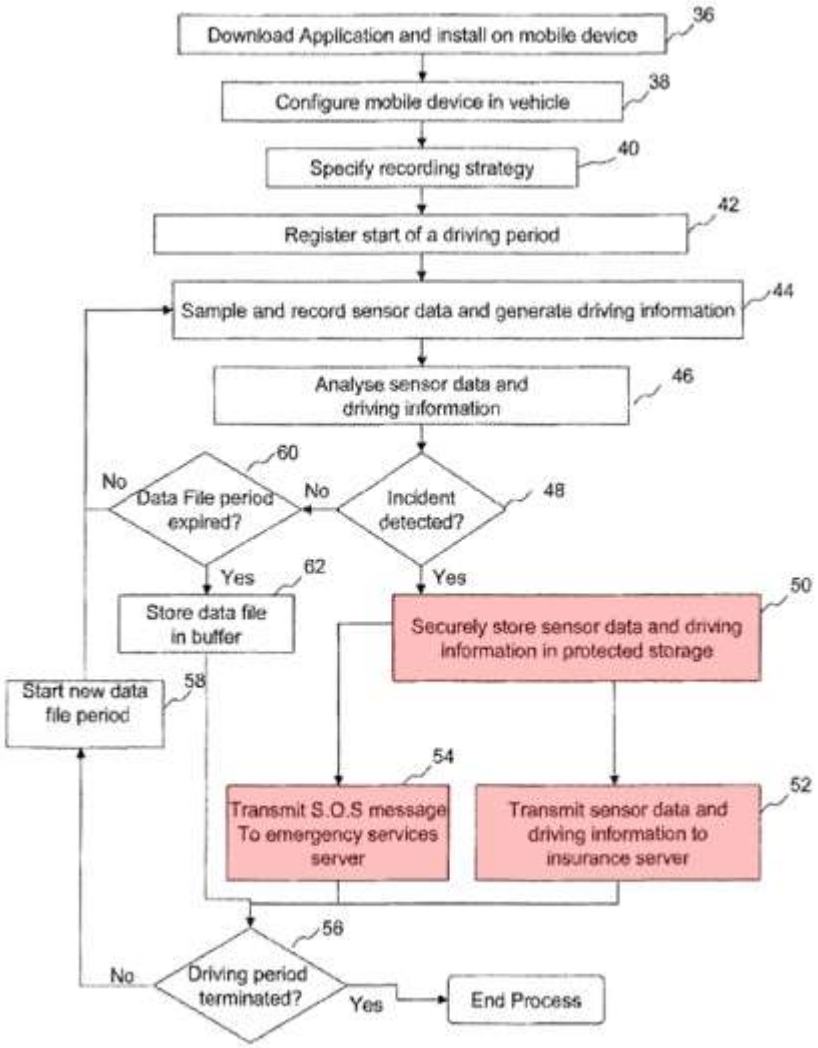


Fig. 4a

Id. at Fig. 4a (annotated).

314. With respect to step 50, Wright states: "If a driving incident has been detected [at step 48], ***all the sensor data and driving information associated with the data file period, is stored in a data file*** in protected storage 34*b*, at step 50." *Id.* at 18:57-60.

315. Next, for step 52, Wright states: "Once a driving incident, such as a

collision, has been detected, and the data file comprising the associated sensor data and driving information has been securely stored in protected storage 34 b, ***the data file is transmitted to the insurance server 5*** of FIG. 1, at step 52." *Id.* at 19:36-46.

316. Finally, at step 54, Wright discloses:

> Similarly, once a driving incident has been detected, ***an S.O.S. message may be automatically forwarded from the mobile telecommunications device 17 to the emergency services server 7***, at step 54. The S.O.S. message may also comprise sensor data and derived driving information, which may assist the emergency services in coordinating their response.

Id. at 19:47-53.

317. With respect to operating in a second mode (or the "crash mode," as it is called in the '952 patent), the specification states: "[F]or purposes of discussion, let the ***crash mode*** be such ***a mode wherein predetermined functions of device 202 may be activated, such as automatically contacting emergency services***." Ex. 1001, '952 patent at 14:36-39. The '952 patent's disclosure here (where the phone in crash mode performs actions such as automatically contacting emergency services) is the same as in Wright above. This supports my conclusion that a POSITA would understand that Wright discloses operating in a "second mode" once an accident has been detected.

318. A POSITA would understand, based on the disclosures in Wright, that

the processor module 33 is the component that controls the functionality of mobile device 17 as related to Wright's crash detection functionality. Wright discloses that "[t]he mobile telecommunication device's functionality is provided by the Witness application, which is installed in the device's local non-volatile storage, and which is **executed by the device's native processor**." Wright, 13:36-39. Additionally, Wright discloses that the processor module 33 "determines if a driving incident has been detected …." *Id.*, 18:55-56. Also, Figure 3 of Wright, copied below, shows that all other components of the mobile device, including the sensors and the communications module, operate through the processor module 33.

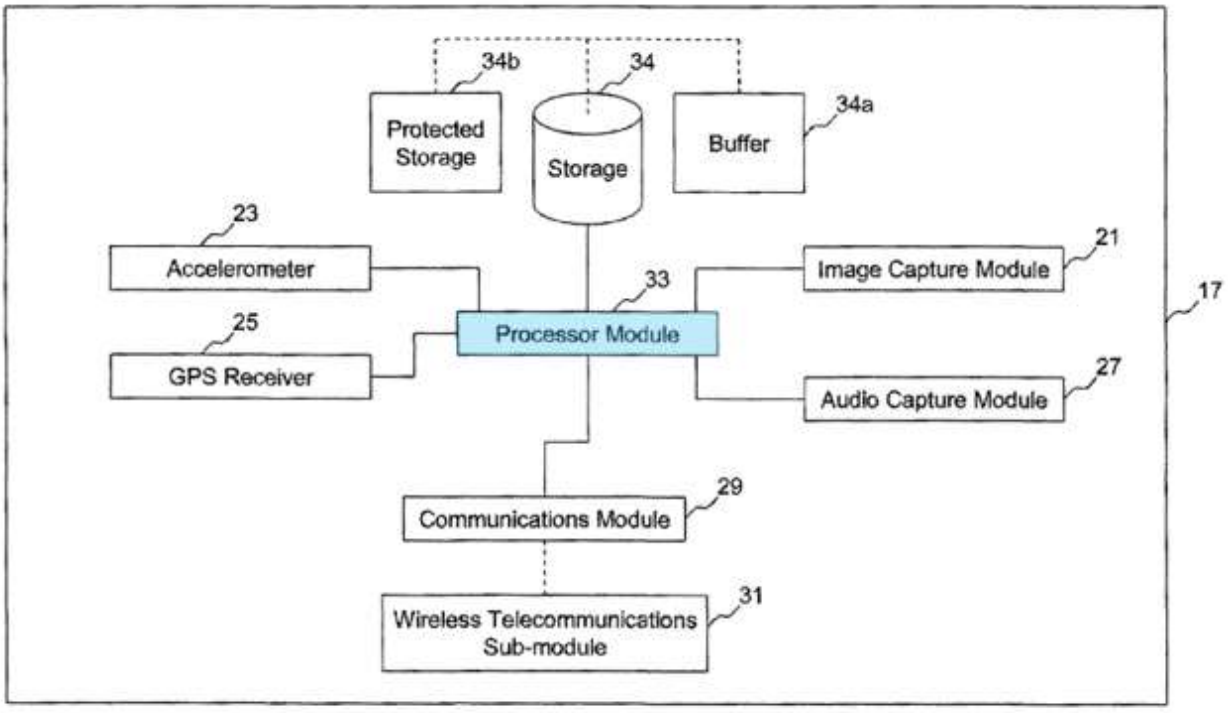


Fig .3

Ex. 1004, Wright at Fig. 3 (annotated).

319. Given this, a POSITA would understand that the processor module 33 controls the mode of operation of the mobile device and, thus, operates as an "operating component" as that term is used in the '952 patent.

320. I have reviewed the '952 patent specification and could not find any discussion or explanation relating to the term "operating component." However, based on my review of the specification, it is my opinion that a POSITA would understand that an "operating component" as recited in claim 6 can be implemented in a device's central processor, such as the processor module 33 of Wright. For example, the '952 patent specification states that multiple components with different functionalities "may be combined as a unitary device." '952 patent, 5:27-33. Thus, a POSITA would understand that multiple components, including the "operating component," may exist in the processor module 33.

321. Accordingly, Wright discloses the limitation of claim 6 of "an operating component operable to operate in a first mode and a second mode, wherein said operating component is operable to switch from operating in the first mode to operating in the second mode based on the crash mode signal."

322. Wright in view of Green renders obvious claim 6.

8. Independent Claim 7

323. It is my opinion that Wright in view of Green renders obvious each and

every limitation of independent claim 7 as discussed below.

a. 7[pre]: "A method for use with a vehicle, said method comprising"

324. To the extent the preamble of claim 7 is limiting, Wright discloses a "method for use with a vehicle."

325. For example, Wright is directed to "***[m]ethods*** and systems ***for logging driving information associated with a vehicle when driven*** . . . . In one aspect, a mobile telecommunications device is provided that is adapted for installation to a vehicle and configured to log driving information associated with the vehicle when driven." Ex. 1004, Wright at Abstract.

326. As discussed above, Wright discloses an exemplary method for use with a vehicle in Figure 4a.

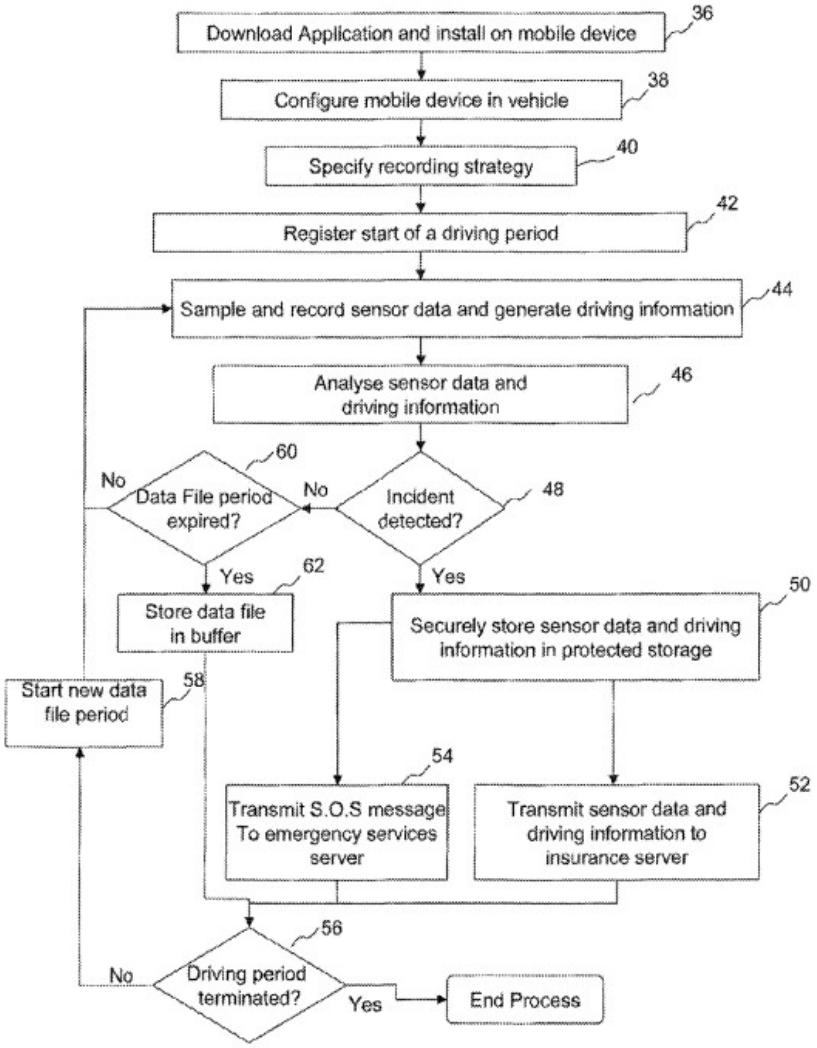


Fig. 4a

Id. at Fig. 4a.

327. Accordingly, Wright discloses "[a] method for use with a vehicle."

b. 7[a] & 7[b]: "detecting, via a mode-determining component, whether the mode-determining component is in the vehicle" & "generating, via the mode-determining component, an in-vehicle signal"

328. It is my opinion that Wright in view of Green renders obvious

limitations 7[a] and 7[b].

329. The limitations of claim 7[a] and 7[b] refer to steps of the method performed by the components recited in claim 1[a], as shown in the table below:

Limitations 7[a] & 7[b]	Limitation 1[a]
7[a]: detecting, via a mode-determining component, whether the ***mode-determining component*** is in the vehicle	a mode-determining component operable to detect whether the ***device*** is in the vehicle and to generate an in-vehicle signal;
7[b]: generating, via the mode-determining component, an in-vehicle signal;	

330. A POSITA would understand that "detecting . . . whether the ***mode-determining component*** is in the vehicle" of limitation 7[a] corresponds to "detect[ing] whether the ***device*** is in the vehicle" of limitation 1[a]. As discussed above, Wright's processor module 33 as modified by Green is the "mode-determining component" of limitation 1[a] and it exists within the "device" of limitation 1[a]. Therefore, Wright in view of Green renders obvious limitations 7[a] and 7[b] for at least the same reasons as limitation 1[a] (*see supra* section VI.C.2.b).

c. 7[c] & 7[d]: "detecting, via a first detecting component, a first parameter" & "generating, via the first detecting component, a first detector signal based on the first detected parameter"

331. It is my opinion that Wright discloses limitations 7[c] and 7[d].

332. Limitations 7[c] and 7[d] refer to steps of the method performed by the components recited in limitation 1[b], as shown in the table below:

Limitations 7[c] & 7[d]	Limitation 1[b]
7[c]: detecting, via a first detecting component, a first parameter	a first detecting component operable [to] detect a first parameter and to generate a first detector signal based on the first detected parameter
7[b]: generating, via the first detecting component, a first detector signal based on the first detected parameter	

333. Therefore, Wright discloses limitations 7[c] and 7[d] for the same reasons Wright discloses limitation 1[b] (*see supra* section VI.C.2.c).

d. 7[e] & 7[f]: "detecting, via a second detecting component, a second parameter" & "generating, via the second detecting component, a second detector signal based on the second detected parameter"

334. It is my opinion that Wright discloses limitations 7[e] and 7[f].

335. Limitations 7[e] and 7[f] refer to steps of the method performed by the

components recited in limitation 1[c], as shown in the table below:

Limitations 7[e] & 7[f]	Limitation 1[c]
7[e]: detecting, via a second detecting component, a second parameter	a second detecting component operable [to] detect a second parameter and to generate a second detector signal based on the second detected parameter
7[f]: generating, via the second detecting component, a second detector signal based on the second detected parameter	

336. Therefore, Wright discloses limitations 7[e] and 7[f] for the same reasons Wright discloses limitation 1[c] (*see supra* section VI.C.2.c).

e. 7[g]: "generating, via the mode-determining component, a crash mode signal based on the in-vehicle signal, the first detector signal and the second detector signal"

337. It is my opinion that Wright discloses limitation 7[g].

338. Limitation 7[g] refers to steps of the method performed by the components recited in limitation 1[d], as shown in the table below:

Limitation 7[g]	Limitation 1[d]
7[g]: generating, via the mode-determining component, a crash	Wherein said mode-determining component is further operable to

Limitation 7[g]	Limitation 1[d]
mode signal based on the in-vehicle signal, the first detector signal and the second detector signal.	generate a crash mode signal based on the in-vehicle signal, the first detector signal and the second detector signal.

339. Therefore, Wright discloses limitation 7[g] for the same reasons Wright discloses limitation 1[d] (*see supra* section VI.C.2.d).

340. Taken together, Wright in view of Green renders obvious claim 7.

9. Claim 8

341. Claim 8 depends on claim 7, which Wright in view of Green renders obvious as discussed above. It is also my opinion that Wright renders obvious claim 8.

342. Claim 2 depends on claim 1, which Wright in view of Green renders obvious as discussed above. The limitations of claim 8 refer to steps of the method performed by the components recited in claim 2, as shown in the table below:

Claim 8	Claim 2
The method of claim 7, wherein said detecting a first parameter comprises detecting one of the group consisting of magnetic fields in any of three dimensions, electric fields in any of three dimensions, electro-magnetic fields in any of three dimensions, velocity in any of three dimensions, acceleration in any of three dimensions, angular velocity in any of three dimensions, angular acceleration in any of three dimensions, geodetic position, sound, temperature, vibrations in any of three dimensions, pressure in any of three dimensions, biometrics, contents of surrounding atmosphere, a change in electric fields in any of three dimensions, a change in	The device of claim 1, wherein said first detecting component is operable to detect, as the first parameter, one of the group consisting of magnetic fields in any of three dimensions, electric fields in any of three dimensions, electro-magnetic fields in any of three dimensions, velocity in any of three dimensions, acceleration in any of three dimensions, angular velocity in any of three dimensions, angular acceleration in any of three dimensions, geodetic position, sound, temperature, vibrations in any of three dimensions, pressure in any of three dimensions, biometrics, contents of surrounding atmosphere, a change in electric fields in any of three dimensions, a change in

Claim 8	Claim 2
magnetic fields in any of three dimensions, a change in electro-magnetic fields in any of three dimensions, a change in velocity in any of three dimensions, a change in acceleration in any of three dimensions, a change in angular velocity in any of three dimensions, a change in angular acceleration in any of three dimensions, a change in geodetic position in any of three dimensions, a change in sound, a change in temperature, a change in vibrations in any of three dimensions, a change in pressure in any of three dimensions, a change in biometrics, a change in contents of surrounding atmosphere and combinations thereof.	magnetic fields in any of three dimensions, a change in electro-magnetic fields in any of three dimensions, a change in velocity in any of three dimensions, a change in acceleration in any of three dimensions, a change in angular velocity in any of three dimensions, a change in angular acceleration in any of three dimensions, a change in geodetic position in any of three dimensions, a change in sound, a change in temperature, a change in vibrations in any of three dimensions, a change in pressure in any of three dimensions, a change in biometrics, a change in contents of surrounding atmosphere and combinations thereof.

343. Claim 2 of the ’952 patent requires that “said first detecting component

is operable to detect, as the first parameter . . . ." As discussed above, claim 7, to which claim 8 depends, requires "detecting, via a first detecting component, a first parameter." Thus a POSITA would understand that the "first detecting component" performs the "detecting a first parameter" as required by claim 8.

344. Therefore, Wright in view of Green renders obvious claim 8 for the same reasons as claim 2 (*see supra* section VI.C.33).

10. Claim 9

345. Claim 9 depends on claims 7 and 8, which Wright discloses as discussed above. It is also my opinion that Wright renders obvious claim 9.

346. Claim 3 depends on claims 1 and 2, which Wright in view of Green renders obvious as discussed above. The limitations of claim 9 refer to steps of the method performed by the components recited in claim 3, as shown in the table below:

Claim 9	Claim 3
The method of claim 8, wherein said detecting a first parameter comprises detecting a parameter associated with deployment of an airbag within the vehicle.	The device of claim 2, wherein said first detecting component is operable to detect, as the first parameter, a parameter associated with deployment of an airbag within the vehicle.

347. Claim 3 of the '952 patent requires that "said first detecting component

is operable to detect, as the first parameter . . . ." As discussed above, claim 7, to which claim 9 depends, requires "detecting, via a first detecting component, a first parameter." Thus a POSITA would understand that the "first detecting component" performs the "detecting a first parameter" as required by claim 9.

348. Therefore, Wright in view of Green renders obvious claim 9 for the same reasons as claim 3 (*see supra* section VI.C.44).

11. Claim 10

349. Claim 10 depends on claims 7 and 8, which Wright in view of Green renders obvious as discussed above. It is also my opinion that Wright renders obvious claim 10.

350. Claim 4 depends on claims 1 and 2, which Wright in view of Green discloses as discussed above. The limitations of claim 10 refer to steps of the method performed by the components recited in claim 4, as shown in the table below:

Claim 10	Claim 4
The method of claim 8,	The device of claim 2,
wherein said detecting a first parameter comprises detecting acceleration along a single axis, and	wherein said first detecting component is operable to detect, as the first parameter, acceleration along a single axis, and

Claim 10	Claim 4
wherein said generating a first detector signal comprises generating the first detector signal when the detected acceleration along the single axis is equal to or greater than a predetermined value.	wherein said first detecting component is operable to generate the first detector signal when the detected acceleration along the single axis is equal to or greater than a predetermined value.

351. Claim 4 of the '952 patent requires that "said first detecting component is operable to detect, as the first parameter . . . ." As discussed above, claim 7, to which claim 10 depends, requires "detecting, via a first detecting component, a first parameter." Thus a POSITA would understand that the "first detecting component" performs the "detecting a first parameter" as required by claim 10.

352. Claim 4 of the '952 patent requires that "said first detecting component is operable to generate the first detector signal . . . ." As discussed above, claim 7, on which claim 10 depends, requires "generating, via the first detecting component, a first detector signal based on the first detected parameter." Thus a POSITA would understand that the "first detecting component" performs the "detecting a first parameter" and "generating a first detector signal" as required by claim 10.

353. Therefore, Wright in view of Green renders obvious claim 10 for the

same reasons as claim 4 (*see supra* section VI.C.5).

12. Claim 11

354. Claim 11 depends on claim 7, which Wright in view of Green discloses as discussed above. It is also my opinion that Wright renders obvious claim 11.

355. Claim 5 depends on claim 1, which Wright in view of Green renders obvious as discussed above. The limitations of claim 11 refer to steps of the method performed by the components recited in claim 5, as shown in the table below:

Claim 11	Claim 5
The method of claim 7, further comprising wirelessly communicating, via a communication component, with a network.	The device of claim 1, further comprising a communication component operable to wirelessly communicate with a network.

356. Therefore, Wright in discloses claim 11 for the same reasons as claim 5 (*see supra* section VI.C.6).

13. Claim 12

357. Claim 12 depends on claim 7, which Wright in view of Green renders obvious as discussed above. It is also my opinion that Wright renders obvious claim 12.

358. Claim 6 depends on claim 1, which Wright in view of Green renders

obvious as discussed above. The limitations of claim 12 refer to steps of the method performed by the components recited in claim 6, as shown in the table below:

Claim 12	Claim 6
The method of claim 7, further comprising: operating an operating component in a first mode; and switching operation of the operating component from the first mode to a second mode based on the crash mode signal.	The device of claim 1, further comprising: an operating component operable to operate in a first mode and a second mode, wherein said operating component is operable to switch from operating in the first mode to operating in the second mode based on the crash mode signal.

359. The only difference between claims 6 and 12 is that claim 12 does not expressly recite that the "operating component" is "operable to operate in . . . a second mode." However, this requirement is captured in the second additional limitation of 12, which recites that the claimed method includes "switching operation of the operating component from the first mode ***to a second mode*** based on the crash mode signal." This requires that the "operating component" can in fact operate in a second mode. Accordingly, claims 6 and 12 are substantively the same. Therefore,

Wright in view of Green renders obvious claim 12 for the same reasons as claim 6 (*see supra* section VI.C.7).

14. Independent Claim 13

360. It is my opinion that Wright in view of Green renders obvious each and every limitation of independent claim 13 as discussed below.

a. 13[pre]: "A non-transitory, computer-readable media having computer-readable instructions stored thereon, for use with a vehicle, the computer-readable instructions being capable of being read by a computer and being capable of instructing the computer to perform the method comprising"

361. To the extent the preamble of claim 13 is limiting, Wright discloses "a non-transitory, computer-readable media having computer-readable instructions stored thereon, for use with a vehicle, the computer-readable instructions being capable of being read by a computer and being capable of instructing the computer to perform [a] method."

362. As I discussed above with respect to claim 1, Wright discloses a "device for use with a vehicle," including in the form of mobile telecommunications device 17. Wright also discloses that "[t]he mobile telecommunication device's functionality is provided by the Witness application, which is installed in the device's local non-volatile storage, and which is executed by the device's native processor." Wright, 13:36-39. A POSITA would understand that the "local non-

volatile storage" of Wright's mobile device, which contains the code or instructions for the Witness application, is a "non-transitory, computer-readable media having computer-readable instructions stored thereon." A POSITA would also understand that the Witness application (which comprises "computer-readable instructions") can be executed by the mobile device's processor ("a computer"), i.e., the instructions are "capable of being read by a computer and being capable of instructing the computer to perform [a] method."

363. Accordingly, Wright discloses the preamble of claim 13.

b. 13[a] & 13[b]: "detecting, via a mode-determining component, whether the mode-determining component is in the vehicle" & "generating, via the mode-determining component, an in-vehicle signal"

364. It is my opinion that Wright in view of Green renders obvious limitations 13[a] and 13[b].

365. Limitations 13[a] and 13[b] refer to the steps of the computer-readable instructions performed by the components recited in limitation 1[a], as shown in the table below:

Limitations 13[a] & 13[b]		Limitation 1[a]
13[a]:	detecting, via a mode-determining component, whether the ***mode-***	a mode-determining component operable to detect whether the ***device***

Limitations 13[a] & 13[b]	Limitation 1[a]
determining component is in the vehicle	is in the vehicle and to generate an in-vehicle signal;
13[b]: generating, via the mode-determining component, an in-vehicle signal;	

366. A POSITA would understand that "detecting . . . whether the ***mode-determining component*** is in the vehicle" of limitation 13[a] corresponds to "detect[ing] whether the ***device*** is in the vehicle" of limitation 1[a].

367. As discussed above, a POSITA would understand that Wright's processor module 33 as modified by Green is the "mode-determining component" of limitation 1[a]. Because the functionality of Wright's mobile device is provided by computer-readable instructions in the form of the Witness application, a POSITA would understand that the functionality of "detecting" and "generating" by the "mode-determining component," as discussed in connection with limitation 1[a] above, is performed based on computer-readable instructions.

368. Therefore, Wright in view of Green renders obvious limitations 13[a] and 13[b] for at least the same reasons as limitation 1[a] (*see supra* section VI.C.2.b).

c. 13[c] & 13[d]: "detecting, via a first detecting component, a first parameter" & "generating, via the first detecting component, a first detector signal based on the first detected parameter"

369. It is my opinion that Wright discloses limitations 13[c] and 13[d].

370. Limitations 13[c] and 13[d] refer to the steps of the computer-readable instructions performed by the components recited in limitation 1[b], as shown in the table below:

Limitations 13[c] & 13[d]	Limitation 1[b]
13[c]: detecting, via a first detecting component, a first parameter	a first detecting component operable [to] detect a first parameter and to generate a first detector signal based on the first detected parameter
13[b]: generating, via the first detecting component, a first detector signal based on the first detected parameter	

371. Because the functionality of Wright's mobile device is provided by computer-readable instructions in the form of the Witness application, a POSITA would understand that the functionality of "detecting" and "generating" by the "first detecting component," as discussed in connection with limitation 1[b] above, is performed based on computer-readable instructions.

372. Therefore, Wright in view of Green renders obvious limitations 13[c] and 13[d] for the same reasons as limitation 1[b] (*see supra* section VI.C.2.c).

d. 13[e] & 13[f]: "detecting, via a second detecting component, a second parameter" & "generating, via the second detecting component, a second detector signal based on the second detected parameter"

373. It is my opinion that Wright discloses limitations 13[e] and 13[f].

374. Limitations 13[e] and 13[f] refer to the steps of the computer-readable instructions performed by the components recited in limitation 1[c], as shown in the table below:

Limitations 13[e] & 13[f]	Limitation 1[c]
13[e]: detecting, via a second detecting component, a second parameter	a second detecting component operable [to] detect a second parameter and to generate a second detector signal based on the second detected parameter
13[f]: generating, via the second detecting component, a second detector signal based on the second detected parameter	

375. Because the functionality of Wright's mobile device is provided by computer-readable instructions in the form of the Witness application, a POSITA would understand that the functionality of "detecting" and "generating" by the

"second detecting component," as discussed in connection with limitation 1[c] above, is performed based on computer-readable instructions.

376. Therefore, Wright in view of Green renders obvious limitations 13[e] and 13[f] for the same reasons as limitation 1[c] (*see supra* section VI.C.2.c).

e. 13[g]: "operating an operating component in a first mode"

377. It is my opinion that Wright in view of Green renders obvious limitation 13[g].

378. Limitation 13[g] refers to the steps of the computer-readable instructions performed by the components recited in the first portion of claim 6, as shown in the table below:

Limitation 13[g]	Claim 6
13[g]: operating an operating component in a first mode	The device of claim 1, further comprising: an operating component operable to operate in a first mode and a second mode, wherein said operating component is operable to switch from operating in

Limitation 13[g]	Claim 6
	the first mode to operating in the second mode based on the crash mode signal.

379. As discussed above, Wright's processor module 33 is the "operating component." Because the functionality of Wright's mobile device is provided by computer-readable instructions in the form of the Witness application, the functionality of "operating an operating component in a first mode," as discussed in connection with claim 6 below, is performed based on computer-readable instructions.

380. Therefore, Wright in view of Green renders obvious limitation 13[g] for the same reasons as the first portion of claim 6 (*see supra* section VI.C.77).

f. 13[h]: "generating, via the mode-determining component, a crash mode signal based on the in-vehicle signal, the first detector signal and the second detector signal"

381. It is my opinion that Wright discloses limitation 13[h].

382. Limitation 13[h] refers to the steps of the computer-readable instructions performed by the components recited in limitation 1[d], as shown in the table below:

Limitation 13[h]	Limitation 1[d]
13[h]: generating, via the mode-determining component, a crash mode signal based on the in-vehicle signal, the first detector signal and the second detector signal.	Wherein said mode-determining component is further operable to generate a crash mode signal based on the in-vehicle signal, the first detector signal and the second detector signal.

383. For the same reasons discussed above, a POSITA would understand that this functionality of the "mode-determining component" also is performed based on computer-readable instructions.

384. Therefore, Wright in view of Green renders obvious limitation 13[h] for the same reasons as limitation 1[d] (*see supra* section VI.C.2.d).

g. 13[i]: "switching operation of the operating component from the first mode to a second mode based on the crash mode signal"

385. It is my opinion that Wright discloses limitation 13[i].

386. Limitation 13[i] refers to the steps of the computer-readable instructions performed by the components recited in the last portion of claim 6, as shown in the table below:

Limitation 13[i]	Claim 6
13[i]: switching operation of the operating component from the first mode to a second mode based on the crash mode signal	The device of claim 1, further comprising: an operating component operable to operate in a first mode and a second mode, wherein said operating component is operable to switch from operating in the first mode to operating in the second mode based on the crash mode signal.

387. For the same reasons discussed above, a POSITA would understand that this functionality of the "operating component" also is performed based on computer-readable instructions.

388. Therefore, Wright in view of Green renders obvious limitation 13[i] for the same reasons as the last portion of claim 6 (*see supra* section VI.C.77).

15. Claim 14

389. Claim 14 depends on claim 13, which Wright in view of Green renders obvious as discussed above. It is also my opinion that Wright renders obvious claim

14.

390. Claim 2 depends on claim 1, which Wright in view of Green renders obvious as discussed above. The limitations of claim 14 refer to the steps of the computer-readable instructions performed by the components recited in claim 2, as shown in the table below:

Claim 14	Claim 2
The non-transitory, computer-readable media of claim 13, wherein the computer-readable instructions are capable of instructing the computer to perform the method such that said detecting a first parameter comprises detecting	The device of claim 1, wherein said first detecting component is operable to detect, as the first parameter,
one of the group consisting of magnetic fields in any of three dimensions, electric fields in any of three dimensions, electro-magnetic fields in any of three dimensions, velocity in any of three dimensions, acceleration in any	one of the group consisting of magnetic fields in any of three dimensions, electric fields in any of three dimensions, electro-magnetic fields in any of three dimensions, velocity in any of three dimensions, acceleration in any

Claim 14	Claim 2
of three dimensions, angular velocity in any of three dimensions, angular acceleration in any of three dimensions, geodetic position, sound, temperature, vibrations in any of three dimensions, pressure in any of three dimensions, biometrics, contents of surrounding atmosphere, a change in electric fields in any of three dimensions, a change in magnetic fields in any of three dimensions, a change in electro-magnetic fields in any of three dimensions, a change in velocity in any of three dimensions, a change in acceleration in any of three dimensions, a change in angular velocity in any of three dimensions, a change in angular acceleration in any of three dimensions,	of three dimensions, angular velocity in any of three dimensions, angular acceleration in any of three dimensions, geodetic position, sound, temperature, vibrations in any of three dimensions, pressure in any of three dimensions, biometrics, contents of surrounding atmosphere, a change in electric fields in any of three dimensions, a change in magnetic fields in any of three dimensions, a change in electro-magnetic fields in any of three dimensions, a change in velocity in any of three dimensions, a change in acceleration in any of three dimensions, a change in angular velocity in any of three dimensions, a change in angular acceleration in any of three dimensions,

Claim 14	Claim 2
a change in geodetic position in any of three dimensions, a change in sound, a change in temperature, a change in vibrations in any of three dimensions, a change in pressure in any of three dimensions, a change in biometrics, a change in contents of surrounding atmosphere and combinations thereof.	a change in geodetic position in any of three dimensions, a change in sound, a change in temperature, a change in vibrations in any of three dimensions, a change in pressure in any of three dimensions, a change in biometrics, a change in contents of surrounding atmosphere and combinations thereof.

391. Claim 2 of the '952 patent requires that "said first detecting component is operable to detect, as the first parameter . . . ." As discussed above, claim 13, on which claim 14 depends, requires "detecting, via a first detecting component, a first parameter." Thus a POSITA would understand that the "first detecting component" performs the "detecting a first parameter" as required by claim 14.

392. Therefore, Wright in view of Green renders obvious claim 14 for the same reasons as claim 2 (*see supra* section VI.C.33).

16. Claim 15

393. Claim 15 depends on claims 13 and 14, which Wright in view of Green renders obvious as discussed above. It is also my opinion that Wright renders

obvious claim 15.

394. Claim 3 depends on claims 1 and 2, which Wright in view of Green renders obvious as discussed above. The limitations of claim 15 refer to the steps of the computer-readable instructions performed by the components recited in claim 3, as shown in the table below:

Claim 15	Claim 3
The non-transitory, computer-readable media of claim 14, the computer-readable instructions being capable of being read by a computer and being capable of instructing the computer to perform the method such that said detecting a first parameter comprises detecting a parameter associated with deployment of an airbag within the vehicle.	The device of claim 2, wherein said first detecting component is operable to detect, as the first parameter, a parameter associated with deployment of an airbag within the vehicle.

395. Claim 3 of the '952 patent requires that "said first detecting component is operable to detect, as the first parameter . . . ." As discussed above, claim 13, to which claim 15 depends, requires "detecting, via a first detecting component, a first

parameter." Thus a POSITA would understand that the "first detecting component" performs the "detecting a first parameter" as required by claim 15.

396. Therefore, Wright in view of Green renders obvious claim 15 for the same reasons as claim 3 (*see supra* section VI.C.44).

17. Claim 16

397. Claim 16 depends on claims 13 and 14, which Wright in view of Green discloses as discussed above. It is also my opinion that Wright renders obvious claim 16.

398. Claim 4 depends on claims 1 and 2, which Wright in view of Green discloses as discussed above. The limitations of claim 16 refer to the steps of the computer-readable instructions performed by the components recited in claim 4, as shown in the table below:

Claim 16	Claim 4
The non-transitory, computer-readable media of claim 14, wherein the computer-readable instructions are capable of instructing the computer to perform the method such that	The device of claim 2, wherein said first detecting component is operable to detect, as the first parameter, acceleration along a single axis, and

Claim 16	Claim 4
said detecting a first parameter comprises detecting acceleration along a single axis, and said generating a first detector signal comprises generating the first detector signal when the detected acceleration along the single axis is equal to or greater than a predetermined value.	wherein said first detecting component is operable to generate the first detector signal when the detected acceleration along the single axis is equal to or greater than a predetermined value.

399. Claim 4 of the '952 patent requires that "said first detecting component is operable to detect, as the first parameter . . . ." As discussed above, claim 13, to which claim 16 depends, requires "detecting, via a first detecting component, a first parameter." Thus a POSITA would understand that the "first detecting component" performs the "detecting a first parameter" as required by claim 16.

400. Claim 4 of the '952 patent requires that "said first detecting component is operable to generate the first detector signal . . . ." As discussed above, claim 13, to which claim 16 depends, requires "generating, via the first detecting component, a first detector signal based on the first detected parameter." Thus a POSITA would understand that the "first detecting component" performs the "detecting a first

parameter" and "generating a first detector signal" as required by claim 16.

401. Therefore, Wright in view of Green renders obvious claim 16 for the same reasons as claim 4 (*see supra* section VI.C.55).

18. Claim 17

402. Claim 17 depends on claim 13, which Wright in view of Green renders obvious as discussed above. It is also my opinion that Wright renders obvious claim 17.

403. Claim 5 depends on claim 1, which Wright in view of Green renders obvious as discussed above. The limitations of claim 17 refer to the steps of the computer-readable instructions performed by the components recited in claim 5, as shown in the table below:

Claim 17	Claim 5
The non-transitory, computer-readable media of claim 13, the computer-readable instructions being capable of being read by a computer and being capable of instructing the computer to perform the method further comprising wirelessly communicating, via a	The device of claim 1, further comprising a communication component operable to wirelessly communicate with a network.

Claim 17	Claim 5
communication component, with a network.	

404. Therefore, Wright in view of Green renders obvious claim 17 for the same reasons as claim 5 (*see supra* section VI.C.66).

19. Claim 18

405. Claim 18 depends on claim 13, which Wright in view of Green renders obvious as discussed above. It is also my opinion that Wright renders obvious claim 18.

406. Claim 6 depends on claim 1, which Wright in view of Green renders obvious as discussed above. The limitations of claim 18 refer to the steps of the computer-readable instructions performed by the components recited in claim 6, as shown in the table below:

Claim 18	Claim 6
The non-transitory, computer-readable media of claim 13, the computer-readable instructions being capable of being read by a computer and being	The device of claim 1, further comprising:

Claim 18	Claim 6
capable of instructing the computer to perform the method further comprising: operating an operating component in a first mode; and switching operation of the operating component from the first mode to a second mode based on the crash mode signal.	an operating component operable to operate in a first mode and a second mode, wherein said operating component is operable to switch from operating in the first mode to operating in the second mode based on the crash mode signal.

407. The only difference between claims 6 and 18 is that claim 18 does not expressly recite that the "operating component" is "operable to operate in . . . a second mode." However, this requirement is captured in the second additional limitation of 18, which recites that the method to be performed in response to computer instructions includes "switching operation of the operating component from the first mode ***to a second mode*** based on the crash mode signal." This requires that the "operating component" can in fact operate in a second mode. Accordingly, claims 6 and 18 are substantively the same. Therefore, Wright in view of Green renders obvious claim 18 for the same reasons as claim 6 (*see supra* section 7).

VII. NO SECONDARY CONSIDERATIONS OF NON-OBVIOUSNESS

408. I am unaware of any secondary considerations that may support the patentability of any claims of the ’952 patent, and I understand from counsel that, in the district court litigation, Patent Owner also has not identified any evidence with respect to secondary considerations of non-obviousness. I expressly reserve the right to respond to any allegations of secondary considerations that may be asserted by Patent Owner in this proceeding.

VIII. CONCLUSION

409. In my opinion, based on my review of the ’952 patent, the materials referenced herein, and my knowledge of what a POSITA would have known at the time of and before the ’952 patent’s priority date about the technology at issue, a POSITA would understand all of the limitations of challenged claims 1-18 to be obvious over the prior art for the reasons described above.

410. Accordingly, it is my opinion that challenged claims 1-18 should be found unpatentable.

411. Furthermore, I reserve the right to supplement my opinions in the future to respond to any arguments or positions that the Patent Owner may raise, taking account of new information as it becomes available to me.

412. I hereby declare that all statements made herein of my own knowledge

are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Executed on June 5, 2024 at Woodbridge, Connecticut.



Dr. Lin Zhong