

**THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

STELLAR, LLC,

Plaintiff,

v.

MOTOROLA SOLUTIONS, INC., and  
WATCHGUARD VIDEO, INC.,

Defendants.

Civil Action No. 4:23-cv-750-SDJ

MOTOROLA SOLUTIONS, INC., and  
WATCHGUARD VIDEO, INC.,

Counterclaim Plaintiffs,

v.

STELLAR, LLC,

Counterclaim Defendant.

**EXPERT REPORT OF NABIL J. SARHAN, PH.D.**

**INVALIDITY REPORT ON U.S. PATENT NOS. 7,593,034, 8,310,540, 8,692,882,  
8,928,752, 9,485,471, 9,912,914, 10,523,901, AND 10,965,910**

## TABLE OF CONTENTS

|      |                                                                                               |    |
|------|-----------------------------------------------------------------------------------------------|----|
| I.   | Introduction.....                                                                             | 1  |
| II.  | Qualifications.....                                                                           | 1  |
| III. | Legal Standards.....                                                                          | 5  |
|      | A. Secondary Considerations.....                                                              | 8  |
|      | B. Conception .....                                                                           | 9  |
|      | C. Reduction to practice .....                                                                | 9  |
|      | D. DILIGENCE .....                                                                            | 10 |
|      | E. Enablement .....                                                                           | 10 |
| IV.  | MATERIALS CONSIDERED IN FORMING OPINIONS .....                                                | 10 |
| V.   | The Level Of Ordinary Skill In The Art .....                                                  | 11 |
| VI.  | Technology Background.....                                                                    | 15 |
|      | A. Introduction.....                                                                          | 15 |
|      | 1. The '034, '882, '471, and '914 Patents.....                                                | 15 |
|      | 2. The '540 and '752 Patents .....                                                            | 16 |
|      | 3. The '901 and '910 Patents .....                                                            | 16 |
|      | B. State Of The Art And Admitted Prior Art .....                                              | 17 |
|      | 1. Admissions In The Stellar Patents .....                                                    | 17 |
|      | (a) The '920 Application (U.S. Patent No. 8,310,540) .....                                    | 17 |
|      | (b) The '217 Application (U.S. Patent No. 8,928,752) .....                                    | 19 |
|      | (c) The '286 Application (U.S. Patent No. 7,593,034) .....                                    | 21 |
|      | 2. Admissions In The Stellar Patents' File Histories .....                                    | 23 |
|      | (a) Applicant's Admissions Regarding WO 2006/044476<br>(Vanman) .....                         | 27 |
|      | (b) Applicant's Admissions Regarding EP 1,064,783 (Mann).....                                 | 29 |
|      | (c) Applicant's Admissions Regarding US 5,523,799 (Hattori) .....                             | 31 |
|      | (d) Other Admissions Made By The Inventors During<br>Prosecution Of The Stellar Patents ..... | 33 |
|      | 3. Pre-Event Recording Or Record-After-The-Fact Was Well Known<br>In The Art.....             | 34 |
|      | 4. Body-Worn Cameras Were Known In The Art .....                                              | 50 |
|      | 5. Various Memory Options For Storing Events Were Known In The<br>Art .....                   | 53 |

|       |                                                                                                                                                      |     |
|-------|------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| 6.    | Wireless Transmission Of Files To A Remote Memory Was Known In The Art.....                                                                          | 55  |
| 7.    | Remote Memory On Mobile Phone Was Known In The Art .....                                                                                             | 68  |
| 8.    | Treating A Circular Buffer As A Single File Was Known In The Art .....                                                                               | 80  |
| 9.    | Indexing Write-Protected Portions As A Second, Distinct File In The Circular Buffer Was Known In The Art.....                                        | 86  |
| 10.   | Memory Loop as a Single File Was Known In The Art.....                                                                                               | 96  |
| 11.   | Allowing Editing of Imaged Data in Memory Loop Was Known in the Art .....                                                                            | 96  |
| 12.   | Increasing Duration of Protected Segment Was Known in the Art .....                                                                                  | 112 |
| 13.   | A Pair of Eyeglasses Having a Sensor that Captures Sensor Data Was Known in the Art .....                                                            | 116 |
| 14.   | Contiguously Continuing to Record, Excluding from Overwriting, and Automatically Overwriting if not Designated for Saving Was Known in the Art ..... | 140 |
| VII.  | Claim construction .....                                                                                                                             | 140 |
| VIII. | The Alleged Inventions Of The '034, '540, '882, '752, '471, '914, '901, And '910 Patents .....                                                       | 143 |
| A.    | The '034, '882, '471, and '914 Patents.....                                                                                                          | 143 |
| B.    | The '540 Patent .....                                                                                                                                | 146 |
| C.    | The '752 Patent .....                                                                                                                                | 148 |
| D.    | The '901 and '910 Patents .....                                                                                                                      | 150 |
| IX.   | Patent File Histories.....                                                                                                                           | 153 |
| A.    | Summary Of The '034 Patent File History .....                                                                                                        | 153 |
| B.    | Summary Of The '882 Patent File History .....                                                                                                        | 156 |
| C.    | Summary Of The '471 Patent File History .....                                                                                                        | 158 |
| D.    | Summary Of The '914 Patent File History .....                                                                                                        | 161 |
| E.    | Summary Of The '540 Patent File History .....                                                                                                        | 163 |
| F.    | Summary Of The '752 Patent File History .....                                                                                                        | 166 |
| G.    | Summary Of The '901 Patent File History .....                                                                                                        | 168 |
| H.    | Summary Of The '910 Patent File History .....                                                                                                        | 170 |
| X.    | Patents and Publication Prior Art.....                                                                                                               | 172 |
| A.    | Summary Of The Patent and Publication Prior Art .....                                                                                                | 172 |
| 1.    | Yerazunis .....                                                                                                                                      | 172 |

|       |                                                                                                                                                 |     |
|-------|-------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| 2.    | Ely .....                                                                                                                                       | 177 |
| 3.    | Fiore .....                                                                                                                                     | 181 |
| 4.    | Lewellen.....                                                                                                                                   | 189 |
| 5.    | Mann .....                                                                                                                                      | 193 |
| 6.    | Fiedler .....                                                                                                                                   | 194 |
| 7.    | Strub .....                                                                                                                                     | 195 |
| 8.    | Campbell.....                                                                                                                                   | 197 |
| B.    | Group 1 Is Comprised Of U.S. Patent Nos. 7,593,034, 8,692,882,<br>9,485,471, And 9,912,914.....                                                 | 199 |
| 1.    | Obviousness Analysis Regarding U.S. 7,593,034 .....                                                                                             | 199 |
| (a)   | Claims 1 and 12 Of The '034 Patent Would Have Been<br>Obvious Over Yerazunis Alone Or As Combined With<br>Fiore .....                           | 199 |
| (i)   | Motivation to Combine.....                                                                                                                      | 199 |
| (ii)  | Independent Claim 1 .....                                                                                                                       | 201 |
| (iii) | Independent Claim 12 .....                                                                                                                      | 214 |
| (b)   | Claim 7 Of The '034 Patent Would Have Been Obvious<br>Over Yerazunis Alone Or As Combined With Fiore, In<br>Further View Of Lewellen.....       | 219 |
| (i)   | Motivation To Combine.....                                                                                                                      | 219 |
| (ii)  | Dependent Claim 7 .....                                                                                                                         | 222 |
| (c)   | Claims 1, 7, And 12 Of The '034 Patent Would Have Been<br>Obvious Over Ely Alone Or As Combined With Fiore, In<br>Further View Of Lewellen..... | 222 |
| (i)   | Motivation To Combine.....                                                                                                                      | 222 |
| (ii)  | Independent Claim 1 .....                                                                                                                       | 225 |
| (iii) | Dependent Claim 7 .....                                                                                                                         | 232 |
| (iv)  | Independent Claim 12 .....                                                                                                                      | 233 |
| 2.    | Obviousness Analysis Regarding U.S. 8,692,882 .....                                                                                             | 236 |
| (a)   | Claims 12, 21, And 22 Of The '882 Patent Would Have<br>Been Obvious Over Yerazunis Alone Or As Combined<br>With Fiore .....                     | 236 |
| (i)   | Motivation To Combine.....                                                                                                                      | 236 |
| (ii)  | Claim 12.....                                                                                                                                   | 236 |
| (iii) | Dependent Claims 21 And 22 .....                                                                                                                | 246 |

|       |                                                                                                                                     |     |
|-------|-------------------------------------------------------------------------------------------------------------------------------------|-----|
| (b)   | Claims 12 And 21 Of The '882 Patent Would Have Been Obvious Over Ely Alone Or As Combined With Fiore.....                           | 247 |
| (i)   | Motivation To Combine.....                                                                                                          | 247 |
| (ii)  | Claim 12.....                                                                                                                       | 247 |
| (c)   | Claim 22 Of The '882 Patent Would Have Been Obvious Over Ely Alone Or As Combined With Fiore, In Further View Of Lewellen.....      | 255 |
| (i)   | Motivation To Combine.....                                                                                                          | 255 |
| (ii)  | Dependent Claim 22 .....                                                                                                            | 255 |
| 3.    | Obviousness Analysis Regarding U.S. 9,485,471 .....                                                                                 | 255 |
| (a)   | Claims 1 And 2 Of The '471 Patent Would Have Been Obvious Over Yerazunis Alone Or As Combined With Fiore .....                      | 255 |
| (i)   | Motivation To Combine.....                                                                                                          | 255 |
| (ii)  | Claim 1 .....                                                                                                                       | 256 |
| (iii) | Dependent Claim 2 .....                                                                                                             | 265 |
| (b)   | Claim 3 Of The '471 Patent Would Have Been Obvious Over Yerazunis Alone Or As Combined With Fiore, In Further View of Lewellen..... | 267 |
| (i)   | Motivation To Combine.....                                                                                                          | 267 |
| (ii)  | Dependent Claim 3 .....                                                                                                             | 268 |
| (c)   | Claims 1 And 2 Of The '471 Patent Would Have Been Obvious Over Ely Alone Or As Combined With Fiore.....                             | 268 |
| (i)   | Motivation To Combine.....                                                                                                          | 268 |
| (ii)  | Claim 1 .....                                                                                                                       | 268 |
| (iii) | Dependent Claim 2 .....                                                                                                             | 274 |
| (d)   | Claim 3 Of The '471 Patent Would Have Been Obvious Over Ely Alone Or As Combined With Fiore, In Further View Of Lewellen.....       | 276 |
| (i)   | Motivation To Combine.....                                                                                                          | 276 |
| (ii)  | Dependent Claim 3 .....                                                                                                             | 276 |
| 4.    | Obviousness Analysis Regarding U.S. 9,912,914 .....                                                                                 | 276 |
| (a)   | Claim 1 Of The '914 Patent Would Have Been Obvious Over Yerazunis Alone Or As Combined With Fiore.....                              | 276 |
| (i)   | Motivation To Combine.....                                                                                                          | 276 |
| (ii)  | Claim 1 .....                                                                                                                       | 276 |

|      |                                                                                                             |     |
|------|-------------------------------------------------------------------------------------------------------------|-----|
| (b)  | Claim 1 Of The '914 Patent Would Have Been Obvious<br>Over Ely Alone Or As Combined With Fiore .....        | 286 |
| (i)  | Motivation To Combine.....                                                                                  | 286 |
| (ii) | Claim 1 .....                                                                                               | 286 |
| C.   | Group 2 Is Comprised Of U.S. Patent No. 8,310,540.....                                                      | 293 |
| 1.   | Obviousness Analysis Regarding U.S. 8,310,540 .....                                                         | 293 |
| (a)  | Claim 1 Of The '540 Patent Would Have Been Obvious<br>Over Yerazunis Alone Or As Combined With Fiore.....   | 293 |
| (i)  | Motivation To Combine.....                                                                                  | 293 |
| (ii) | Independent Claim 1 .....                                                                                   | 296 |
| (b)  | Claim 1 Of The '540 Patent Would Have Been Obvious<br>Over Ely Alone Or As Combined With Fiore .....        | 309 |
| (i)  | Motivation To Combine.....                                                                                  | 309 |
| (ii) | Independent Claim 1 .....                                                                                   | 310 |
| D.   | Group 3 Is Comprised Of U.S. Patent No. 8,928,752.....                                                      | 320 |
| 1.   | Obviousness Analysis Regarding U.S. 8,928,752 .....                                                         | 320 |
| (a)  | Claim 1 Of The '752 Patent Would Have Been Obvious<br>Over Yerazunis Alone Or As Combined With Fiedler..... | 320 |
| (i)  | Motivation To Combine.....                                                                                  | 320 |
| (ii) | Independent Claim 1 .....                                                                                   | 322 |
| (b)  | Claim 1 Of The '752 Patent Would Have Been Obvious<br>Over Ely Alone Or As Combined With Fiedler.....       | 328 |
| (i)  | Motivation To Combine.....                                                                                  | 328 |
| (ii) | Independent Claim 1 .....                                                                                   | 329 |
| E.   | Group 4 Is Comprised Of U.S. Patent Nos. 10,523,901 And 10,965,910 .....                                    | 336 |
| 1.   | Obviousness Analysis Regarding U.S. 10,523,901 .....                                                        | 336 |
| (a)  | Claim 1 Of The '901 Patent Would Have Been Obvious<br>Over Yerazunis In View Of Campbell.....               | 336 |
| (i)  | Motivation To Combine.....                                                                                  | 336 |
| (ii) | Independent Claim 1 .....                                                                                   | 337 |
| (b)  | Claim 1 Of The '901 Patent Would Have Been Obvious<br>Over Ely In View Of Campbell .....                    | 348 |
| (i)  | Motivation To Combine.....                                                                                  | 348 |
| (ii) | Independent Claim 1 .....                                                                                   | 349 |
| 2.   | Obviousness Analysis Regarding U.S. 10,965,910 .....                                                        | 357 |

|       |                                                                                |     |
|-------|--------------------------------------------------------------------------------|-----|
| (a)   | Claim 1 Of The '910 Patent Would Have Been Obvious<br>Over Yerazunis .....     | 357 |
| (i)   | Independent Claim 1 .....                                                      | 357 |
| (b)   | Claim 1 Of The '910 Patent Would Have Been Obvious<br>Over Ely .....           | 365 |
| (i)   | Independent Claim 1 .....                                                      | 366 |
| XI.   | Systems Prior Art.....                                                         | 373 |
| A.    | Summary of the Systems Prior Art .....                                         | 373 |
| 1.    | Watchguard DV-1 .....                                                          | 373 |
| (a)   | Overview of DV-1 .....                                                         | 374 |
| (b)   | DV-1 Development History .....                                                 | 377 |
| (c)   | DV-1 Product Details.....                                                      | 385 |
| (d)   | DV-1 Glossary .....                                                            | 387 |
| (e)   | DV-1 Menu, Navigation, and Features .....                                      | 389 |
| (f)   | DV-1 Source Code.....                                                          | 402 |
| (i)   | Basic Operation.....                                                           | 402 |
| (ii)  | Data Persistence .....                                                         | 403 |
| (iii) | Regression Tests .....                                                         | 404 |
| (iv)  | Data Flow.....                                                                 | 406 |
| (v)   | Communication among Modules.....                                               | 415 |
| (vi)  | DVD Structure .....                                                            | 423 |
| (g)   | DV-1 System Architecture.....                                                  | 426 |
| (h)   | Analysis of Main Features of DV-1 .....                                        | 436 |
| (i)   | DV-1 Includes a Camera with a Sensor to Capture<br>Image Data .....            | 447 |
| (ii)  | DV-1 Converts Images into a Data Stream.....                                   | 455 |
| (iii) | DV-1 Employs an Endlessly Looping Buffer.....                                  | 459 |
| (iv)  | DV-1 Records Events, Including Pre-Event and<br>Post-Event Data .....          | 476 |
| (v)   | DV-1 Allows User to Configure Pre-Event and<br>Post-Event Times .....          | 508 |
| (vi)  | DV-1 Allows Write-Protecting Files and Indexing<br>Write-Protected Files ..... | 512 |
| (vii) | DV-1 Includes a Memory for Storing Recorded<br>Data and Events .....           | 515 |

|    |                                                                                                                                                        |     |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
|    | (viii) DV-1 Includes a Processor.....                                                                                                                  | 527 |
|    | (ix) DV-1 Allows Playback While Continuously<br>Recording Video Data.....                                                                              | 538 |
|    | (x) DV-1 Allows Archive Recording and Re-burning of<br>Archives .....                                                                                  | 547 |
|    | (xi) DV-1 Transfers Video Files to a Computer.....                                                                                                     | 551 |
|    | (xii) DV-1 Had Known Competitors with Wireless Data<br>Transfer and Was Envisioned to Provide That<br>Feature.....                                     | 556 |
|    | (xiii) DV-1 Has Editing Features.....                                                                                                                  | 558 |
| 2. | Coban In-Car Systems .....                                                                                                                             | 579 |
|    | (a) Coban TopCam .....                                                                                                                                 | 579 |
|    | (b) Coban VMDT .....                                                                                                                                   | 582 |
| 3. | Monitoring Technology 20/20 Hindsight .....                                                                                                            | 597 |
| 4. | Kustom Signals Digital Eyewitness.....                                                                                                                 | 604 |
|    | (a) Overview.....                                                                                                                                      | 604 |
|    | (b) Digital Eyewitness Products .....                                                                                                                  | 605 |
|    | (i) Digital Eyewitness (DEW) .....                                                                                                                     | 605 |
|    | (ii) Digital Eyewitness NXT .....                                                                                                                      | 616 |
|    | (iii) DEMM (Digital Eyewitness Media Manager).....                                                                                                     | 629 |
|    | (c) Analysis of Main Features of Digital Eyewitness/Digital<br>Eyewitness NXT .....                                                                    | 631 |
|    | (i) Digital Eyewitness (NXT) Includes a Camera with a<br>Sensor to Capture Image Data .....                                                            | 631 |
|    | (ii) Digital Eyewitness (NXT) Converts Images into a<br>Data Stream.....                                                                               | 632 |
|    | (iii) Digital Eyewitness (NXT) Records Events,<br>Including Pre-Event Data.....                                                                        | 633 |
|    | (iv) Digital Eyewitness (NXT) Employs a Buffer.....                                                                                                    | 637 |
|    | (v) Digital Eyewitness (NXT) Includes Memory for<br>Storing Recorded Data and Events .....                                                             | 639 |
|    | (vi) Digital Eyewitness (NXT) Allows Write-Protecting<br>Files, Indexing Write-Protected Files, Stores Video<br>Events to Memory in Video Format ..... | 641 |
|    | (vii) Digital Eyewitness (NXT) Allows the User to<br>Configure the Pre-Event Time .....                                                                | 645 |

|    |                                                                                                                                                                                                                                                |     |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
|    | (viii) Digital Eyewitness (NXT) Has a Processor.....                                                                                                                                                                                           | 646 |
|    | (ix) Digital Eyewitness (NXT) has a Wireless<br>Transmitter Functionally Coupled to the Local<br>Memory, Wirelessly Transmits Video Files, and<br>Transmits Files for Storage in a Remote Memory.....                                          | 647 |
| 5. | DEJA VIEW CamWear Model 100.....                                                                                                                                                                                                               | 650 |
|    | (a) Overview.....                                                                                                                                                                                                                              | 650 |
|    | (b) Product Description: .....                                                                                                                                                                                                                 | 657 |
| B. | Watchguard DV-1 .....                                                                                                                                                                                                                          | 660 |
| 1. | Obviousness Analysis Regarding U.S. 7,593,034 .....                                                                                                                                                                                            | 660 |
|    | (a) Claims 1 And 12 Of The '034 Patent Is Invalid As Obvious ....                                                                                                                                                                              | 660 |
|    | (i) Motivation to Combine .....                                                                                                                                                                                                                | 660 |
|    | (ii) Independent Claim 1 .....                                                                                                                                                                                                                 | 661 |
|    | (iii) Independent Claim 12.....                                                                                                                                                                                                                | 692 |
|    | (b) Claims 7 Of The '034 Patent Is Obvious .....                                                                                                                                                                                               | 698 |
|    | (i) Motivation to Combine .....                                                                                                                                                                                                                | 698 |
|    | (ii) Dependent Claim 7 (The apparatus of claim 1,<br>wherein the remote memory is located on a mobile<br>phone) .....                                                                                                                          | 701 |
| 2. | Obviousness Analysis Regarding U.S. 8,692,882 .....                                                                                                                                                                                            | 702 |
|    | (a) Claims 12, 21, And 22 Of The '882 Patent Are Invalid As<br>Obvious.....                                                                                                                                                                    | 702 |
|    | (i) Motivation to Combine .....                                                                                                                                                                                                                | 702 |
|    | (ii) Independent Claim 12.....                                                                                                                                                                                                                 | 702 |
|    | (iii) Dependent Claim 21 (The method of claim 12,<br>wherein the step of providing access to the at least<br>one of the distinct files includes transmitting the at<br>least one of the distinct files for storage in a remote<br>memory)..... | 723 |
|    | (iv) Dependent Claim 22 (The method of claim 21,<br>wherein the step of transmitting includes wirelessly<br>transmitting the at least one of the distinct files) .....                                                                         | 724 |
| 3. | Obviousness Analysis Regarding U.S. 9,485,471 .....                                                                                                                                                                                            | 727 |
|    | (a) Claims 1 And 2 Of The '471 Are Invalid As Obvious .....                                                                                                                                                                                    | 727 |
|    | (i) Independent Claim 1 .....                                                                                                                                                                                                                  | 727 |

|    |       |                                                                                                                                                                                                        |     |
|----|-------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
|    | (ii)  | Dependent Claim 2 (The apparatus of claim 1, further comprising a sending facility configured to transmit the file from the local memory to a remote memory).....                                      | 743 |
|    | (iii) | Dependent Claim 3 (The apparatus of claim 2, wherein the sending facility comprises a wireless transmitter).....                                                                                       | 743 |
| 4. |       | Obviousness Analysis Regarding U.S. 9,912,914 .....                                                                                                                                                    | 746 |
|    | (a)   | Claim 1 Of The '914 Patent Is Invalid As Obvious.....                                                                                                                                                  | 746 |
|    | (i)   | Independent Claim 1 .....                                                                                                                                                                              | 746 |
| 5. |       | Obviousness Analysis Regarding U.S. 8,310,540 .....                                                                                                                                                    | 759 |
|    | (a)   | Claim 1 Of The '540 Patent Is Invalid As Obvious.....                                                                                                                                                  | 759 |
|    | (i)   | Motivation to Combine .....                                                                                                                                                                            | 759 |
|    | (ii)  | Independent Claim 1 .....                                                                                                                                                                              | 762 |
| 6. |       | Obviousness Analysis Regarding U.S. 8,928,752 .....                                                                                                                                                    | 793 |
|    | (a)   | Claim 1 Of The '752 Patent Is Invalid As Obvious.....                                                                                                                                                  | 793 |
|    | (i)   | Motivation to Combine .....                                                                                                                                                                            | 793 |
|    | (ii)  | Independent Claim 1 .....                                                                                                                                                                              | 794 |
| 7. |       | Obviousness Analysis Regarding U.S. 10,523,901 .....                                                                                                                                                   | 822 |
|    | (a)   | Claim 1 Of The '901 Patent Is Invalid As Obvious.....                                                                                                                                                  | 822 |
|    | (i)   | Motivation to Combine .....                                                                                                                                                                            | 822 |
|    | (ii)  | Independent Claim 1 .....                                                                                                                                                                              | 824 |
| 8. |       | Obviousness Analysis Regarding U.S. 10,965,910 .....                                                                                                                                                   | 844 |
|    | (a)   | Claim 1 Of The '910 Patent Is Invalid As Obvious.....                                                                                                                                                  | 844 |
|    | (i)   | Motivation to Combine .....                                                                                                                                                                            | 844 |
|    | (ii)  | Independent Claim 1 .....                                                                                                                                                                              | 844 |
| C. |       | Coban In-Car System.....                                                                                                                                                                               | 860 |
| 1. |       | Obviousness Analysis Regarding U.S. 7,593,034 .....                                                                                                                                                    | 860 |
|    | (a)   | Claims 1 and 12 Of The '034 Patent Would Have Been Obvious Over Coban VMDT Alone, In Combination with Coban TopCam, Or In Combination With Yerazunis, Or In Combination with Yerazunis and Fiore ..... | 860 |
|    | (i)   | Motivation to Combine .....                                                                                                                                                                            | 860 |
|    | (ii)  | Independent Claim 1 .....                                                                                                                                                                              | 862 |
|    | (iii) | Independent Claim 12 .....                                                                                                                                                                             | 883 |

|    |      |                                                                                                                                                                      |     |
|----|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
|    | (iv) | Claim 7 Of The '034 Patent Would Have Been Obvious Over Coban VMDT, Alone Or In The Combinations For Claims 1 and 12, Or As Additionally Combined With Lewellen..... | 884 |
| 2. |      | Obviousness Analysis Regarding U.S. 8,692,882 .....                                                                                                                  | 887 |
|    | (a)  | Claims 12, 21 and 22 Of The '882 Patent Would Have Been Obvious Over Coban VMDT Alone or in the Combinations Discussed Below. ....                                   | 887 |
|    | (i)  | Claim 12.....                                                                                                                                                        | 887 |
|    | (ii) | Dependent Claims 21 And 22 .....                                                                                                                                     | 892 |
| 3. |      | Obviousness Analysis Regarding U.S. 9,485,471 .....                                                                                                                  | 893 |
|    | (a)  | Claims 1-3 Of The '471 Patent Would Have Been Obvious Over Coban VMDT Alone or in the Combinations Discussed Below.....                                              | 893 |
|    | (i)  | Claim 1.....                                                                                                                                                         | 893 |
|    | (ii) | Dependent Claims 2 and 3 .....                                                                                                                                       | 894 |
| 4. |      | Obviousness Analysis Regarding U.S. 9,912,914 .....                                                                                                                  | 894 |
|    | (a)  | Claim 1 Of The '471 Patent Would Have Been Obvious Over Coban VMDT Alone or in the Combinations Discussed Below.....                                                 | 894 |
|    | (i)  | Claim 1.....                                                                                                                                                         | 894 |
| 5. |      | Obviousness Analysis Regarding U.S. 8,310,540 .....                                                                                                                  | 896 |
|    | (a)  | Claim 1 Of The '540 Patent Would Have Been Obvious Over Coban VMDT In Combination With Yerazunis, Or In Combination With Yerazunis and Fiore .....                   | 896 |
|    | (i)  | Independent Claim 1 .....                                                                                                                                            | 896 |
| 6. |      | Obviousness Analysis Regarding U.S. 8,928,752 .....                                                                                                                  | 903 |
|    | (a)  | Claim 1 Of The '752 Patent Would Have Been Obvious Over Coban VMDT As Combined With Yerazunis .....                                                                  | 903 |
|    | (i)  | Independent Claim 1 .....                                                                                                                                            | 903 |
| 7. |      | Obviousness Analysis Regarding U.S. 10,523,901 .....                                                                                                                 | 908 |
|    | (a)  | Claim 1 Of The '901 Patent Would Have Been Obvious Over Coban VMDT in Combination with Deja View Camwear or Campbell in further combination with Yerazunis. ....     | 908 |
|    | (i)  | Independent Claim 1 .....                                                                                                                                            | 908 |
| 8. |      | Obviousness Analysis Regarding U.S. 10,965,910 .....                                                                                                                 | 914 |

|       |                                                                                                                                         |     |
|-------|-----------------------------------------------------------------------------------------------------------------------------------------|-----|
| (a)   | Claim 1 Of The '910 Patent Would Have Been Obvious Over Coban VMDT Alone Or As Combined With Yerazunis .....                            | 914 |
| (i)   | Independent Claim 1 .....                                                                                                               | 914 |
| D.    | Monitoring Technology 20/20 Hindsight .....                                                                                             | 916 |
| 1.    | Obviousness Analysis Regarding U.S. 7,593,034 .....                                                                                     | 916 |
| (a)   | Claims 1 and 12 Of The '034 Patent Would Have Been Obvious Over 20/20 Hindsight Combined With Yerazunis and Fiore .....                 | 916 |
| (i)   | Motivation to Combine .....                                                                                                             | 916 |
| (ii)  | Independent Claim 1 .....                                                                                                               | 917 |
| (iii) | Independent Claim 12 .....                                                                                                              | 935 |
| (iv)  | Claim 7 Of The '034 Patent Would Have Been Obvious Over 20/20 Hindsight In The Claim 1 Combinations, Or As Combined With Lewellen.....  | 936 |
| 2.    | Obviousness Analysis Regarding U.S. 8,692,882 .....                                                                                     | 939 |
| (a)   | Claims 12, 21 and 22 Of The '882 Patent Would Have Been Obvious Over 20/20 Hindsight Alone or in the Combinations Discussed Below. .... | 939 |
| (i)   | Claim 12.....                                                                                                                           | 939 |
| (ii)  | Dependent Claims 21 And 22 .....                                                                                                        | 942 |
| 3.    | Obviousness Analysis Regarding U.S. 9,485,471 .....                                                                                     | 943 |
| (a)   | Claims 1-3 Of The '471 Patent Would Have Been Obvious Over 20/20 Hindsight Alone or in the Combinations Discussed Below.....            | 943 |
| (i)   | Claim 1 .....                                                                                                                           | 943 |
| (ii)  | Dependent Claims 2 and 3 .....                                                                                                          | 944 |
| 4.    | Obviousness Analysis Regarding U.S. 9,912,914 .....                                                                                     | 944 |
| (a)   | Claim 1 Of The '471 Patent Would Have Been Obvious Over 20/20 Hindsight Alone or in the Combinations Discussed Below.....               | 944 |
| (i)   | Claim 1 .....                                                                                                                           | 944 |
| 5.    | Obviousness Analysis Regarding U.S. 8,310,540 .....                                                                                     | 945 |
| (a)   | Claim 1 Of The '540 Patent Would Have Been Obvious Over 20/20 Hindsight Combined With Yerazunis and Fiore.....                          | 945 |
| (i)   | Independent Claim 1 .....                                                                                                               | 945 |

|       |                                                                                                                                                                                                         |      |
|-------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 6.    | Obviousness Analysis Regarding U.S. 8,928,752 .....                                                                                                                                                     | 965  |
| (a)   | Claim 1 Of The '752 Patent Would Have Been Obvious<br>Over 20/20 Hindsight Combined With Yerazunis and/or<br>Fiedler .....                                                                              | 965  |
| (i)   | Independent Claim 1 .....                                                                                                                                                                               | 965  |
| 7.    | Obviousness Analysis Regarding U.S. 10,523,901 .....                                                                                                                                                    | 977  |
| (a)   | Claim 1 Of The '901 Patent Would Have Been Obvious<br>Over 20/20 Hindsight Combined With Deja View<br>CamWear .....                                                                                     | 977  |
| (i)   | Independent Claim 1 .....                                                                                                                                                                               | 977  |
| 8.    | Obviousness Analysis Regarding U.S. 10,965,910 .....                                                                                                                                                    | 991  |
| (a)   | Claim 1 Of The '910 Patent Would Have Been Obvious<br>Over 20/20 Hindsight.....                                                                                                                         | 991  |
| (i)   | Independent Claim 1 .....                                                                                                                                                                               | 991  |
| E.    | Kustom Signals Digital Eyewitness.....                                                                                                                                                                  | 994  |
| 1.    | Obviousness Analysis Regarding U.S. 7,593,034 .....                                                                                                                                                     | 994  |
| (a)   | Claims 1 And 12 Of The '034 Patent Would Have Been<br>Obvious Over Kustom Signals Digital Eyewitness (NXT)<br>Alone, In Combination With Yerazunis, or In Combination<br>With Yerazunis and Fiore ..... | 994  |
| (i)   | Motivation to Combine .....                                                                                                                                                                             | 994  |
| (ii)  | Independent Claim 1 .....                                                                                                                                                                               | 999  |
| (iii) | Independent Claim 12 .....                                                                                                                                                                              | 1025 |
| (b)   | Claims 7 Of The '034 Patent Would Have Been Obvious<br>Over Kustom Signals Digital Eyewitness (NXT) Combined<br>With Yerazunis In Further View of Fiore and Lewellen .....                              | 1031 |
| (i)   | Motivation to Combine .....                                                                                                                                                                             | 1031 |
| (ii)  | Dependent Claim 7: The apparatus of claim 1,<br>wherein the remote memory is located on a mobile<br>phone.....                                                                                          | 1034 |
| 2.    | Obviousness Analysis Regarding U.S. 8,692,882 .....                                                                                                                                                     | 1035 |
| (a)   | Claims 12, 21, And 22 Of The '882 Patent Would Have<br>Been Obvious Over Kustom Signals Digital Eyewitness<br>(NXT), In Combination With Yerazunis, Or In<br>Combination With Yerazunis and Fiore ..... | 1035 |
| (i)   | Motivation to Combine .....                                                                                                                                                                             | 1035 |
| (ii)  | Independent Claim 12 .....                                                                                                                                                                              | 1035 |

|       |                                                                                                                                                                                                                              |      |
|-------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| (iii) | Dependent Claim 21: The method of claim 12, wherein the step of providing access to the at least one of the distinct files includes transmitting the at least one of the distinct files for storage in a remote memory. .... | 1057 |
| (iv)  | Dependent Claim 22: The method of claim 21, wherein the step of transmitting includes wirelessly transmitting the at least one of the distinct files. ....                                                                   | 1058 |
| 3.    | Obviousness Analysis Regarding U.S. 9,485,471 .....                                                                                                                                                                          | 1059 |
| (a)   | Claims 1 And 2 Of The '471 Patent Would Have Been Obvious Over Kustom Signals Digital Eyewitness(NXT) Alone, Or Combined With Yerazunis, Or Combined With Yerazunis And Fiore .....                                          | 1059 |
| (i)   | Motivation to Combine .....                                                                                                                                                                                                  | 1059 |
| (ii)  | Independent Claim 1 .....                                                                                                                                                                                                    | 1059 |
| (iii) | Dependent Claim 2: The apparatus of claim 1, further comprising a sending facility configured to transmit the file from the local memory to a remote memory. ....                                                            | 1083 |
| (iv)  | Dependent Claim 3: The apparatus of claim 2, wherein the sending facility comprises a wireless transmitter. ....                                                                                                             | 1085 |
| XII.  | The '752 Patent Claim Element: "Responds to a Second Signal . . . By Increasing The Duration Of The Protected Segment Of The Buffer Prior To The First Signal" Is Not Enabled.....                                           | 1179 |
| XIII. | No Secondary Considerations of Obviousness .....                                                                                                                                                                             | 1188 |
| XIV.  | Priority Date Of The Asserted Patents.....                                                                                                                                                                                   | 1190 |
| XV.   | CONCLUSION AND RESERVATION OF RIGHTS.....                                                                                                                                                                                    | 1192 |