

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

L-3 COMMUNICATIONS SECURITY
AND DETECTION SYSTEMS
CORPORATION DELAWARE,

Plaintiff,

v.

AMERICAN SCIENCE &
ENGINEERING, INC.,

Defendant.

CIVIL ACTION NO. 04-10339-RWZ

**L-3'S MOTION FOR PARTIAL SUMMARY JUDGMENT THAT
CERTAIN CLAIMS OF U.S. PATENT NO. 5,903,623 ARE INVALID
UNDER 35 U.S.C. §102(b)**

Plaintiff, L-3 Communications Security and Detection Systems Corporation Delaware ("L-3"), moves for partial summary judgment that claims 1-7, 9, 11-13, 19-21, 23-30, 32, 34-36, 42-48, 50, 52, and 53 of U.S. Patent No. 5,903,623 ("the '623 patent") are invalid under 35 U.S.C. §102(b).

Respectfully submitted,

L-3 COMMUNICATIONS SECURITY AND
DETECTION SYSTEMS CORPORATION
DELAWARE

Dated: March 3, 2005

/s/ James J. Foster

James J. Foster, BBO #553285
Michael A. Albert, BBO #558566
Robert M. Abrahamsen, BBO #636635
John L. Strand, BBO #654985
WOLF, GREENFIELD & SACKS, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210
Tel.: 617.646.8000
Fax: 617.646.8646

JFoster@wolfgreenfield.com

LOCAL RULE 7.1 CERTIFICATE

I certify that counsel for the parties conferred in good faith prior to the filing of this motion, but were unable to resolve the issues presented.

/s/ Robert M. Abrahamsen