

1 QUINN EMANUEL URQUHART
& SULLIVAN, LLP
2 Kevin P.B. Johnson (Bar No. 177129)
kevinjohnson@quinnemanuel.com
3 Todd M. Briggs (Bar No. 209282)
toddbriggs@quinnemanuel.com
4 Brice C. Lynch (Bar No. 288567)
bricelynch@quinnemanuel.com
5 555 Twin Dolphin Drive, 5th Floor
Redwood Shores, California 94065
6 Telephone: (650) 801-5000
Facsimile: (650) 801-5100

QUINN EMANUEL URQUHART
& SULLIVAN, LLP
James R. Asperger (Bar No. 83188)
jimasperger@quinnemanuel.com
Rachael McCracken
rachaelmccracken@quinnemanuel.com
865 South Figueroa Street, 10th Floor
Los Angeles, CA 90017-2543
Telephone: (213) 443-3000
Facsimile: (213) 443-3100

7 QUINN EMANUEL URQUHART
& SULLIVAN, LLP
8 Eric Huang (*pro hac vice*)
erichuang@quinnemanuel.com
9 51 Madison Avenue, 22nd Floor
New York, New York 10010
10 Telephone: (212) 849-7000
11 Facsimile: (212) 849-7100

12 Attorneys for Plaintiffs
NANTWORKS, LLC and NANT HOLDINGS IP, LLC

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14 UNITED STATES DISTRICT COURT
15 FOR THE CENTRAL DISTRICT OF CALIFORNIA
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17 NANTWORKS, LLC, a Delaware
limited liability company, and NANT
18 HOLDINGS IP, LLC, a Delaware
limited liability company,

19 Plaintiffs,

20 vs.

21 BANK OF AMERICA
22 CORPORATION, a Delaware
corporation, and BANK OF
23 AMERICA, N.A., a national banking
association,

24 Defendants.
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CASE NO. 2:20-cv-7872-GW-PVC

**DECLARATION OF BRICE C.
LYNCH IN SUPPORT OF
NANTWORKS' OPPOSITION TO
DEFENDANTS' MOTION FOR
PARTIAL SUMMARY
JUDGEMENT REGARDING
PLAINTIFFS' FAILURE TO
COMPLY WITH 35 U.S.C. § 287(a)**

1 I, Brice C. Lynch, declare as follows:

2 1. I am an attorney duly licensed to practice law in the State of California
3 and admitted before this Court. I am an attorney at Quinn Emanuel Urquhart &
4 Sullivan, LLP, counsel for Plaintiffs NantWorks LLC and Nant Holding IP, LLC
5 (“NantWorks”). I have personal knowledge of the facts set forth in this declaration,
6 and if called as a witness I would testify competently to those facts.

7 2. Exhibit A attached hereto is a true and correct copy of
8 NANT_BOA00150428 produced by NantWorks in this action. This was designated
9 “Highly Confidential – Attorney Eyes Only.”

10 3. Exhibit B attached here to is a true and correct copy of
11 NANT_BOA00125088 produced by NantWorks in this action. This was designated
12 “Highly Confidential – Attorney Eyes Only.”

13 4. Exhibit C attached hereto is a true and correct copy of BOFA00900019
14 produced by NantWorks in this action. This was designated “Highly Confidential –
15 Attorney Eyes Only.”

16 5. Exhibit D attached hereto is a true and correct copy of BOFA00912293
17 produced by NantWorks in this action. This was designated “Highly Confidential –
18 Attorney Eyes Only.”

19 6. Exhibit E attached hereto is a true and correct copy of a screenshot of the
20 webpage <https://nantmobile.com/patents>.

21 7. Exhibit F attached hereto is a true and correct copy of a screenshot of the
22 webpage
23 <https://web.archive.org/web/20190709073326/https://nantmobile.com/patents>.

24 8. Exhibit G attached hereto is a true and correct copy of Bank of America’s
25 July 23, 2021 First Supplemental Objections and Responses to Plaintiffs’ First Set of
26 Interrogatories. This was designated “Highly Confidential – Attorney Eyes Only.”

27 9. Exhibit H attached hereto is a true and correct copy of the January 1,
28

1 2012 Information Disclosure Statement by Applicant filed in U.S. Patent Application
2 No. 13/342,072, retrieved from <https://patentcenter.uspto.gov/>.

3 I declare under penalty of perjury under the laws of the United States of
4 America and the State of California that the foregoing is true and correct, and that this
5 declaration was executed in Walnut Creek, California, on July 18, 2024.

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By /s/ Brice C. Lynch
Brice C. Lynch