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 11 **APPLE INC.**

12 **UNITED STATES DISTRICT COURT**
 13 **NORTHERN DISTRICT OF CALIFORNIA**
 14 **SAN JOSE**

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 16 OpenTV, Inc., Nagravision, SA, and Nagra
 France S.A.S.,

17 *Plaintiffs,*

18 v.

19 Apple Inc.,

20 *Defendant.*

Case No. 5:15-CV-02008-EJD

**DECLARATION OF MELODY
 DRUMMOND HANSEN IN SUPPORT
 OF DEFENDANT'S RESPONSIVE
 CLAIM CONSTRUCTION BRIEF**

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DECLARATION OF MELODY

1 I am an attorney admitted to practice in the Northern District of California. I am a partner
2 with O’Melveny & Myers LLP, attorneys for Defendant Apple Inc. (“Apple”). I have personal
3 knowledge of the facts set forth in this declaration and, if called to testify as a witness, could and
4 would do so under oath.

5 1. Attached hereto as **Exhibit 1** is a true and correct copy of U.S. Patent No.
6 6,233,736.

7 2. Attached hereto as **Exhibit 2** is a true and correct copy of U.S. Patent No.
8 7,055,169.

9 3. Attached hereto as **Exhibit 3** is a true and correct copy of U.S. Patent No.
10 7,725,740.

11 4. Attached hereto as **Exhibit 4** is a true and correct copy of excerpts from the United
12 States Patent and Trademark Office prosecution history for U.S. Patent No. 6,233,736, including
13 a Response to Office Action dated December 5, 2000, labeled with production numbers
14 OPENTV2008-00001622 – 627.

15 5. Attached hereto as **Exhibit 5** is an expert declaration of Scott Bradner.

16 6. Attached hereto as **Exhibit 6** is a true and correct copy of excerpts from The New
17 Lexicon Webster’s Encyclopedic Dictionary of the English Language (Deluxe Ed. 1990), labeled
18 with production numbers APL-OPTV2_00059161 - 163.

19 7. Attached hereto as **Exhibit 7** is a true and correct copy of excerpts from § 2181 of
20 the Manual of Patent Examining Procedure (Ninth Edition, November 2015), available from the
21 website of the U.S. Patent and Trademark Office at:
22 <http://www.uspto.gov/web/offices/pac/mpep/mpep-2100.pdf>.

23 8. Attached hereto as **Exhibit 8** is a true and correct copy of excerpts from Random
24 House Webster’s College Dictionary (2000), labeled with production numbers OPENTV2008-
25 00009970 – 972.

26 9. Attached hereto as **Exhibit 9** is a true and correct copy of excerpts from The
27 Random House Dictionary of the English Language (2nd Ed. Unabridged 1987), labeled with
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DECLARATION OF MELODY

1 production numbers OPENTV2008-00009966 - 968.

2 10. Attached hereto as **Exhibit 10** is a true and correct copy of excerpts from the
3 United States Patent and Trademark Office prosecution history for U.S. Patent Application
4 10/377,482, including an Amendment dated April 7, 2004, an Amendment dated Jan. 4, 2005, and
5 a Final Rejection dated June 22, 2005.

6 11. Attached hereto as **Exhibit 11** is a true and correct copy of the Patent Trial and
7 Appeal Board Decision instituting *Inter Partes* Review of U.S. Patent No. 6,233,736, IPR2014-
8 00269, Paper 13.

9 12. Attached hereto as **Exhibit 12** is a true and correct copy of U.S. Patent No.
10 5,818,441 (“Throckmorton”).

11 13. Attached hereto as **Exhibit 13** is an expert declaration of Dr. Stephen Melvin.

12 I declare under penalty of perjury under the law of the United States of America that the
13 foregoing is true and correct. Signed this 12th day of April 2016, at San Francisco, California.

14
15 By: /s/ Melody Drummond Hansen
16 Melody Drummond Hansen
17 State Bar No. 278786

18 *Attorney for Defendant Apple Inc.*
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DECLARATION OF MELODY