

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ARENDI S.A.R.L.,

Plaintiff,

v.

MOTOROLA MOBILITY LLC
f/k/a MOTOROLA MOBILITY, INC.,

Defendant.

C.A. No. 12-1601-LPS

Original Version Filed: March 5, 2021

Public Version Filed: March 10, 2021

ARENDI S.A.R.L.,

Plaintiff,

v.

GOOGLE LLC,

Defendant.

C.A. No. 13-919-LPS

Original Version Filed: March 5, 2021

Public Version Filed: March 10, 2021

DECLARATION OF SETH ARD

I, Seth Ard, hereby declare as follows.

1. I am over 18 years of age, of sound mind, and otherwise competent to make this declaration. The evidence set out in the foregoing Declaration is based on my personal knowledge.

2. I am an attorney and partner at the law firm Susman Godfrey LLP, counsel of record for Plaintiff, Arendi S.à.r.l. in the above-captioned action. I am admitted *pro hac vice* to practice before this Court.

3. Attached as Exhibit 1 is a true and correct copy of *Apple Inc. v. Arendi S.A.R.L.* IPR2014-00208, Paper No. 1 (P.T.A.B. Dec. 2, 2013) (Petition for *Inter Partes* Review of '843) produced by Defendants as FOX_0009000 - FOX_0009060.

4. Attached as Exhibit 2 is a true and correct copy of *Motorola Mobility LLC v. Arendi S.A.R.L.* IPR2014-00203, Paper No. 3 (P.T.A.B. Dec. 2, 2013) (Petition for *Inter Partes* Review of '993 Patent) produced by Defendants as FOX_0012183 – FOX_0012246.

5. Attached as Exhibit 3 is a true and correct copy of *Apple Inc. v. Arendi S.A.R.L.* IPR2014-00206, Paper No. 3 (P.T.A.B. Dec. 2, 2013) (Petition for *Inter Partes* Review of '854 Patent) produced by Defendants as FOX_0009888 – FOX_0009951.

6. Attached as Exhibit 4 is a true and correct copy of *Apple Inc. v. Arendi S.A.R.L.* IPR2014-00207, Paper No. 3 (P.T.A.B. Dec. 2, 2013) (Petition for *Inter Partes* Review of '854 Patent) produced by Arendi as ARENDI 199613 – ARENDI 199675.

7. Attached as Exhibit 5 is a true and correct copy of *Google Inc. v. Arendi S.A.R.L.* IPR2014-00450, Paper No. 1 (P.T.A.B. Feb. 20, 2014) (Petition for *Inter Partes* Review of '356 Patent) produced by Arendi as FOX_0008130 – FOX_0008194.

8. Attached as Exhibit 6 is a true and correct copy of *Google Inc. v. Arendi S.A.R.L.* IPR2014-00452, Paper No. 1 (P.T.A.B. Feb. 21, 2014) (Petition for *Inter Partes* Review of '853 Patent) produced by Arendi as ARENDI 148048 – ARENDI 148110.

9. Attached as Exhibit 7 is a true and correct copy of *Apple Inc. v. Arendi S.A.R.L.* IPR2014-00208, Paper No. 8 (P.T.A.B. June 9, 2015) (Decision to Institute for '843 Patent) produced by produced by Arendi as ARENDI 210101 – ARENDI 210120.

10. Attached as Exhibit 8 is a true and correct copy of *Apple Inc. v. Arendi S.A.R.L.* IPR2014-00208, Paper No. 33 (P.T.A.B. June 9, 2015) (Final Written Decision for '843 Patent) produced by Arendi as ARENDI 209923 – ARENDI 209938.

11. Attached as Exhibit 9 is a true and correct copy of the Expert Report of Edward Fox, Ph.D. on the Invalidity of U.S. Patent No. 7,917,843 served by Google LLC and Motorola Mobility LLC (collectively, “Defendants”) on August 7, 2020.

12. Attached as Exhibit 10 is a true and correct copy of the Reply Expert Report of Edward Fox, Ph.D. on the Invalidity of U.S. Patent No. 7,917,843 served by Defendants on December 4, 2020.

13. Attached as Exhibit 11 is a true and correct copy of U.S. Patent No. 7,917,843, produced by Arendi in this litigation as AHL0118048 - AHL0118078.

14. Lodged with the Court as Exhibit 12 is a true and correct copy of ARENDI100002, which is a copy of a CD-ROM containing part 1 of 2 of the file wrapper for the ’843 Patent. The copied CD-ROM was obtained by Arendi from the United States Patent and Trademark Office. Arendi produced ARENDI100002 to Defendants on August 27, 2013.

15. Attached as Exhibit 13 is a true and correct copy of the sealed certificate from the United States Patent and Trademark Office in conjunction with Exhibit 12 and certifying the original of Exhibit 12 as a true copy and produced by Arendi to Defendants as ARENDI100001 on August 27, 2013.

16. Attached as Exhibit 14 is a true and correct copy of the document titled “CyberDesk: A Framework for Providing Self-Integrating Ubiquitous Software Services” with the citation GVU Technical Report, GIT-GVU-97-10, produced by Arendi to Defendants as AHL0122266 – AHL0122283 on October 18, 2013.

17. Attached as Exhibit 15 is a true and correct copy of the document titled “CyberDesk: Automated Integration of Desktop and Network Services” with the citation CHI ’97 Note, produced by Arendi to Defendants as AHL0122288 – AHL0122292 on October 18, 2013.

18. Attached as Exhibit 16 is a true and correct copy of the document titled “Context-awareness in wearable and ubiquitous computing” with the citation GVU Technical Report GIT-GVU-97-11, produced by Arendi to Defendants as AHL0145938– AHL0145950 on October 18, 2013.

19. Attached as Exhibit 17 is a true and correct copy of the document titled “CyberDesk: a framework for providing self-integrating context-aware services” with the citation Knowledge-Based Systems 11 (1998) 3 - 13, produced by Arendi to Defendants as AHL0121553 – AHL0121563 on October 18, 2013.

20. Attached as Exhibit 18 is a true and correct copy of the document titled “Applying Dynamic Integration as a Software Infrastructure for Context-Aware Computing” produced by Arendi to Defendants as AHL0122306 – AHL0122315 on October 18, 2013.

21. Attached as Exhibit 19 is a true and correct copy of the document titled “Context-Aware Computing: The CyberDesk Project” produced by Defendants in this litigation as ARENDI-DEFS00021056 - ARENDI-DEFS00021058.

22. Attached as Exhibit 20 is a true and correct copy of the document titled “Future Computing Environments: CyberDesk,” produced by Defendants in this litigation as ARENDI-DEFS00021090 - ARENDI-DEFS00021091.

23. Attached as Exhibit 21 is a true and correct copy of the document titled “CyberDesk: A Framework for Providing Self-Integrating Context-Aware Services” produced by Defendants in this litigation as FOX_006473 - FOX_006488.

24. Attached as Exhibit 22 is a true and correct copy of the document titled “CyberDesk: A Framework for Providing Self-Integrating Ubiquitous Software Services”

produced by Defendants in this litigation as ARENDI- DEFS00001151 - ARENDI- DEFS00001160.

25. Attached as Exhibit 23 is a true and correct copy of the Joint Initial Invalidation Contentions of Defendants LG Electronics Inc., LG Electronics USA, Inc. and LG Electronics Mobilecomm U.S.A., Inc.; Blackberry Limited and Blackberry Corporation; Nokia Corporation and Nokia Inc.; HTC Corp. a/k/a High Tech Computer Corp, HTC America, Inc., and Exedeia, Inc.; Motorola Mobility LLC, f/k/a Motorola Mobility Inc.; Sony Mobile Communications (USA) Inc. f/k/a Sony Ericsson Mobile Communications (UYSA) Inc., Sony Corporation, and Sony Corporation of America; Google Inc.; and Yahoo! Inc. (“Initial Invalidation Contentions”) served by Defendants in this litigation on January 17, 2014.

26. Attached as Exhibit 24 is a true and correct copy of Exhibit B-10 to the Joint Initial Invalidation Contentions served by Defendants in this litigation on January 17, 2014.

27. Attached as Exhibit 25 is a true and correct copy of Exhibit B-14 to the Joint Initial Invalidation Contentions served by Defendants in this litigation on January 17, 2014.

28. Attached as Exhibit 26 is a true and correct copy of Exhibit C-7 to the Joint Initial Invalidation Contentions served by Defendants in this litigation on January 17, 2014.

29. Attached as Exhibit 27 is a true and correct copy of Exhibit C-8 to the Joint Initial Invalidation Contentions served by Defendants in this litigation on January 17, 2014.

30. Attached as Exhibit 28 is a true and correct copy of Exhibit C-10 to the Joint Initial Invalidation Contentions served by Defendants in this litigation on January 17, 2014.

31. Attached as Exhibit 29 is a true and correct copy of Exhibit C-11 to the Joint Initial Invalidation Contentions served by Defendants in this litigation on January 17, 2014.

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