

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HUGHES NETWORK SYSTEMS, LLC and
HUGHES COMMUNICATIONS, INC.,

Petitioners,

v.

CALIFORNIA INSTITUTE OF TECHNOLOGY,

Patent Owner.

Case IPR2015-00060 (Patent 7,421,032)

Case IPR2015-00067 (Patent 7,116,710)

DECLARATION OF AARON THOMPSON

I, Aaron Thompson, declare:

1. I am currently employed by Wilmer Cutler Pickering Hale and Dorr LLP as a Senior Associate. I have personal knowledge of the facts set forth herein, and, if called to testify in person, could and would testify competently thereto. I have been involved with the pending district court case captioned *California Institute of Technology v. Hughes Communications, Inc. et al.*, No. 13-CV-07245 (CACD) (the “Caltech litigation”) since at least February 10, 2014 on behalf of Hughes Network System, LLC and Hughes Communications, Inc. (“Hughes”).

2. I am over the age of 18, have never been convicted of a felony or crime of moral turpitude and am legally competent to make this declaration.

3. On January 13, 2015, the California Institute of Technology produced, for the first time, an email dated December 8, 1999 from Dr. Brendan Frey to Dr. Dariush Divsalar. That email was reproduced in the Caltech Litigation in the Expert Report of Dr. Brendan Frey at page 52, lines 1 to 11. Neither Hughes nor counsel for Hughes had possession of that email or awareness of its existence prior Caltech’s production of that email on January 13, 2015.

4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information or belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine

or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the results of these proceedings.

Dated: May 27, 2015



Aaron Thompson