

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

E-WATCH, INC., ET AL.,

Plaintiffs,

v.

APPLE, INC., ET AL.,

Defendants.

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2:13-cv-1061  
LEAD CASE

**DECLARATION OF DR. JOSE MELENDEZ IN SUPPORT OF PLAINTIFFS’  
OPPOSITION TO DEFENDANTS’ MOTION FOR PROTECTIVE ORDER**

I, Jose Melendez, Ph.D., hereby declare and state the following:

1. I have personal knowledge of the facts set forth in this declaration and, if called to testify as a witness, could and would competently do so under oath.

2. A true and correct copy of my CV is attached as Exhibit A to this Declaration.

3. I am an independent technical expert, and like most technical experts I have many clients for which I consult.

4. I am also founder and CEO of Patent Calls, Inc., a for-profit, c-corporation formed for the purpose of providing a broader range of consulting services over more diverse technical fields to a broader range of clients than would be possible by one person acting alone.

5. Since March of 2010, Patent Calls has employed more than a dozen different people in a variety of roles, including serving as independent experts in litigation.

6. These employees have included various layers of management and staff, including a President, Vice President, and various directors, advisors and analysts.

Apple Inc.

7. Patent Calls' employees have also included individuals with expertise in technical domains different from my own.

8. It has, and continues to be, common for Patent Calls employees other than myself to perform their own, independent technical analyses based on publicly available information for the purpose of providing consulting services to Patent Calls' clients and/or their legal counsel.

9. It has, and continues to be, common for Patent Calls employees other than myself to have direct contact with clients and/or their legal counsel, including for the purpose of communicating the results of independent technical analyses based on publicly available information.

10. At all times, myself and other Patent Calls employees, have provided the benefit of our individual and collective expertise, which is then utilized by clients as they see fit.

11. I and other Patent Calls employees provide non-legal advice on the functioning of various technologies and their relationship to patent claims.

12. I and other Patent Calls employees provide business advice related to practical aspects concerning licensing agreements, for example, whether a certain licensing term is rare or common.

13. Many of Patent Calls' clients are technology companies.

14. I have never made decisions on behalf of a client, and have never authorized anyone at Patent Calls to make decisions on a client's behalf.

15. It has never been the policy of Patent Calls to make decisions on behalf of any client. I am aware of no deviations of this policy.

16. I am not aware that anyone at Patent Calls has ever made a decision on behalf of a client to assert a patent or a particular claim of a patent.

17. Patent Calls owns no issued patents.

18. Patent Calls has never owned an issued patent.

19. Patent Calls has never asserted a patent.

20. Patent Calls does not provide legal advice.

21. I do not hold, and have never held, any ownership of Chinook Licensing LLC.

22. I do not hold, and have never held, any position with, or been otherwise employed by Chinook Licensing LLC.

23. I do not have, and have never had, any control direct or indirect over Chinook Licensing LLC.

24. I do not make, and have never made, any decisions for Chinook Licensing LLC and have no such authority to make decisions.

25. I do not hold, and have never held, any ownership of Steelhead Licensing LLC.

26. I do not hold, and have never held, any position with, or been otherwise employed by Steelhead Licensing LLC.

27. I do not have, and have never had, any control direct or indirect over Steelhead Licensing LLC.

28. I do not make, and have never made, any decisions for Steelhead Licensing LLC and have no such authority to make decisions.

29. I do not hold, and have never held, any ownership of Garnet Digital LLC.

30. I do not hold, and have never held, any position with, or been otherwise employed by Garnet Digital LLC.

31. I do not have, and have never had, any control direct or indirect over Garnet Digital LLC.

32. I do not make, and have never made, any decisions for Garnet Digital LLC and have no such authority to make decisions.

33. I do not hold, and have never held, any ownership of Canatelo LLC.

34. I do not hold, and have never held, any position with, or been otherwise employed by Canatelo LLC.

35. I do not have, and have never had, any control direct or indirect over Canatelo LLC.

36. I do not make, and have never made, any decisions for Canatelo LLC and have no such authority to make decisions.

37. I do not hold, and have never held, any ownership of SecureNova LLC.

38. I do not hold, and have never held, any position with, or been otherwise employed by SecureNova LLC.

39. I do not have, and have never had, any control direct or indirect over SecureNova LLC.

40. I do not make, and have never made, any decisions for SecureNova LLC and have no such authority to make decisions.

41. My sole relationship with Chinook Licensing LLC, Steelhead Licensing LLC Garnet Digital LLC, Canatelo LLC and SecureNova LLC is as an independent consultant through Patent Calls.

42. FTE Exchange LLC was formed by my spouse, Dr. Beatriz Lopez, during our marriage. Both Dr. Lopez and I reside in Texas. Pursuant to a Property Control Agreement executed between Dr. Lopez and myself, FTE Exchange LLC is specifically excluded from the marital estate.

43. I do not hold, and have never held, any ownership of FTE Exchange LLC.

44. I do not hold, and have never held, any position with, or been otherwise employed by FTE Exchange LLC.

45. I do not have, and have never had, any control direct or indirect over FTE Exchange LLC.

46. I do not make, and have never made, any decisions for FTE Exchange LLC and have no such authority to make decisions.

47. Tierra Intelectual Borinquen, Inc. was formed by my spouse, Dr. Beatriz Lopez, during our marriage. Pursuant to a Property Control Agreement executed between Dr. Lopez and myself, Tierra Intelectual Borinquen, Inc. is specifically excluded from the marital estate.

48. I do not hold, and have never held, any ownership of Tierra Intelectual Borinquen, Inc.

49. I do not hold, and have never held, any position with, or been otherwise employed by Tierra Intelectual Borinquen, Inc.

50. I do not have, and have never had, any control direct or indirect over Tierra Intelectual Borinquen, Inc.

51. I do not make, and have never made, any decisions for Tierra Intelectual Borinquen, Inc. and have no such authority to make decisions.

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