IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

| KONINKLIJKE PHILIPS N.Y U.S. PHILIPS CORPORATIO | | |
|--|---------------|----------------------|
| | Plaintiffs, | C.A. No. 15-1170-UNA |
| v. |) | JURY TRIAL DEMANDED |
| ACER INC., ACER AMERICA CORPORATION, | | |
| | Defendants.) | |

DECLARATION OF MAILING

- I, Benjamin A. Smyth, declare as follows:
- 1. I am an attorney at the law firm of McCarter & English, LLP, counsel to Plaintiffs Koninklijke Philips N.V. and U.S. Philips Corporation in this action.
- 2. Defendant Acer America Corporation is an entity whose registered agent is CT Corporation System, 818 W. 7th St., Ste. 930, Los Angeles, CA 90017.
- 3. On December 18, 2015, true and correct copies of the Summons, Complaint and related documents were sent by Federal Express overnight delivery pursuant to 10 *Del. C.* § 3104 to Acer America Corporation, c/o CT Corporation System 818 W. 7th St., Ste. 930, Los Angeles, CA 90017. *See* Exhibit A.
- 4. On December 22, 2015 McCarter & English, LLP received notification that Acer America, Corporation received said documents on December 21, 2015. *See* Exhibit B.



I declare under penalty of perjury that the foregoing is true and correct.

DATED: December 22, 2015

MCCARTER & ENGLISH, LLP

/s/ Benjamin A. Smyth

Michael P. Kelly (#2295) Daniel M. Silver (#4758) Benjamin A. Smyth (#5528)

Renaissance Centre

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OF COUNSEL:

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EXHIBIT A



UNITED STATES DISTRICT COURT

for the

District of Delaware

| KONINKLIJKE PHILIPS N.V., U.S. PHILIPS CORPORATION, |)) | |
|--|------------------|------------|
| Plaintiff(s) V. ACER INC., | Civil Action No. | 15 CU 1170 |
| ACER INC., ACER AMERICA CORPORATION, |))) | |
| Defendant(s) |) | |

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Acer America Corporation c/o CT Corporation System 818 West Seventh St., Ste. #930 Los Angeles, CA 90017

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

McCarter & English, LLP Daniel M. Silver, Esq. Renaissance Centre 405 N. King Street, 8th flr. Wilmington, DE 19801

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Signature of Clerk or Deputy Clerk

Date: 12/18 / 15

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))

| was red | This summons for (nanceived by me on (date) | ne of individual and title, if any) | | | | | |
|----------|--|--|---------------------------------|------|--|--|--|
| 1100 200 | | the summons on the individ | lual at <i>(place)</i> | | | | |
| | | | on (date) | ; or | | | |
| | ☐ I left the summons | | | | | | |
| | , a person of suitable age and discretion who resides there, | | | | | | |
| | on (date) | , and mailed a copy to the individual's last known address; or | | | | | |
| | ☐ I served the summons on (name of individual) | | | | | | |
| | designated by law to | designated by law to accept service of process on behalf of (name of organization) | | | | | |
| | | | on (date) | ; or | | | |
| | ☐ I returned the summons unexecuted because | | | ; or | | | |
| | ☐ Other (specify): | | | | | | |
| | | | | | | | |
| | My fees are \$ | for travel and \$ | for services, for a total of \$ | 0.00 | | | |
| | I declare under penalt | y of perjury that this informa | ation is true. | | | | |
| | | | | | | | |
| Date: | | | Server's signature | | | | |
| | | | 20.10.000 | | | | |
| | | 5- | Printed name and title | | | | |
| | | | | | | | |
| | | | g , 11 | | | | |
| | | | Server's address | | | | |

Additional information regarding attempted service, etc.



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