

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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CAVIUM, LLC,  
Petitioner,

v.

ALACRITECH, INC.,  
Patent Owner.

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Case IPR2018-00401  
U.S. Patent No. 7,945,699

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**EXHIBIT 1310**

**DECLARATION OF KARINEH KHACHATOURIAN IN SUPPORT OF  
CAVIUM, LLC'S OPPOSITION TO ALACRITECH, INC.'S MOTION FOR  
ADDITIONAL DISCOVERY**

I, Karineh Khachatourian, declare the following:

1. I am a partner in the law firm of Rimon, P.C., working in the firm's office in Palo Alto, California. In making this declaration, it is not my intention, nor the intention of Cavium, LLC, to waive the attorney-client privilege, the attorney-work product immunity, or any other applicable privilege.
2. I am lead counsel for Cavium, LLC, in a case styled as *Alacritech, Inc., v. Dell Inc.*, Case No. 2:16-cv-695 (E.D. Tex.) (hereafter "the district court litigation").
3. I understand that Alacritech, Inc., (hereafter "Patent Owner") initiated the district court litigation when it filed suit against Dell, Inc., on June 30, 2016.
4. As part of its lawsuit, Patent Owner alleged, among other things, that Dell's use of certain network adapters made by QLogic Corporation--a Cavium subsidiary--infringed its patents.
5. Cavium agreed to partially indemnify Dell as to Patent Owner's allegations of infringement against QLogic components incorporated into accused Dell Products.
6. On January 13, 2017, Cavium filed a motion to intervene in the district court litigation involving Dell. Attached hereto as Exhibit A is a true and correct copy of relevant excerpts of D.I. 109 – Cavium, Inc.'s Motion to Intervene filed in the district court litigation. To the best of my knowledge, Cavium did not

file motions to intervene (and none were granted) in the corresponding cases involving Wistron and CenturyLink. In response to Cavium's motion to intervene, to the best of my knowledge, Patent Owner attached at least one document produced by Dell regarding indemnification as an exhibit.

7. Cavium's motion to intervene in the Dell case was granted on February 14, 2017. Attached hereto as Exhibit B is a true and correct copy of D.I. 127 – Order Granting Cavium, Inc.'s Motion to Intervene filed in the district court litigation.

8. To the best of my knowledge, on or about April 21, 2017 and June 14, 2017, Cavium produced documents relevant to the indemnification issue in the district court litigation, including an October 29, 2009 Master Purchase Agreement between QLogic and Dell that contained an indemnification provision.

9. Attached hereto as Exhibit C is a true and correct copy of D.I. 128 – Cavium, Inc.'s Declaratory Judgment Complaint in Intervention filed in the district court litigation.

10. Attached hereto as Exhibit D is a true and correct copy of D.I. 137 – Answer and Counterclaims to Cavium Inc.'s Complaint in Intervention filed in the district court litigation.

11. Attached hereto as Exhibit E is a true and correct copy of D.I. 374 – Alacritech's Notice of Reduction in its Asserted Claims filed in the district court

litigation.

12. As far as I am aware, neither Plaintiff's expert report concerning its infringement claims against Cavium and Cavium's rebuttal expert report contained any discussion of the '699 Patent.

13. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with 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.

Dated: October 19, 2018

/s/ Karineh Khachatourian  
Karineh Khachatourian