

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE INC.  
Petitioner,

v.

MAXELL, LTD.,  
Patent Owner

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**Case: IPR2020-00409**

**U.S. Patent No. 6,580,999**

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**DECLARATION OF TIFFANY A. MILLER**

Apple v. Maxell

I, Tiffany A. Miller, hereby declare and state as follows:

1. I am an attorney at Mayer Brown LLP, and counsel for Plaintiff Maxell, Ltd. (“Maxell”) in *Maxell, Ltd. v. Apple Inc.*, No. 5:19-cv-00036-RWS (E.D. Tex) (“District Court Action”). I am over 21 years of age and otherwise competent to make this Declaration. I make this Declaration based on facts and matters within my own knowledge and on information provided to me by others, and, if called to do so, I could and would testify competently as to the same.

2. Fact discovery in the District Court Action closed on March 31, 2020, with the exception of certain depositions, postponed due to the current pandemic, that are now complete.

3. During fact discovery in the District Court Action, Maxell and Apple collectively produced nearly two million pages of documents. The parties also collectively took more than 35 depositions.

4. During fact discovery in the District Court Action, the parties collectively filed roughly twenty motions, served fifty interrogatories, and served one hundred twenty requests for admission.

5. During fact discovery in the District Court Action, Maxell and Apple have collectively served over thirty third-party subpoenas.

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6. Expert discovery is currently underway. To date, Maxell's experts have already spent nearly six hundred hours reviewing source code produced by Apple. Opening expert reports were served on April 7, 2020.

I declare that all statements made herein of my knowledge are true, and that all statements made on information and belief are believed to be true, and 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.

Dated: May 12, 2020

A handwritten signature in black ink, appearing to read 'T. Miller', is written over a horizontal line.

Tiffany A. Miller