

DECLARATION OF MAUREEN M. HONEYCUTT

I, Maureen M. Honeycutt, declare as follows:

1. My name is Maureen M. Honeycutt. I am over 18 years of age, a resident of Texas, and competent to make this declaration.
2. I am currently employed as a Senior Paralegal at Texas Instruments Incorporated (“TI”), located in Dallas, Texas. I make this declaration based on my own knowledge, past experience, my review of the business records, discussions with other employees at TI, and my duties conducted within the ordinary course of business at TI. If called upon, I could and would testify to all facts stated in this declaration.
3. TI is a corporation with its corporate headquarters and principal place of business in Dallas, Texas.
4. I have worked for TI since 1984 in the Law Department as a Paralegal. My responsibilities at TI include researching and collecting technical publications of TI.

5. TI is, and was in the late 1990s a leading global semiconductor design and manufacturing company. The publication of technical information, including datasheets and databooks that describe the performance and other characteristics of TI products, is a regular practice for TI. TI products and datasheets and databooks describing it products, were therefore widely distributed in the late 1990s throughout the United States and the world to engineers and others that make electronic devices using such components.
6. I have knowledge of TI's practices for checking in and publishing technical documents, including on TI's public website: www.ti.com.
7. For documents TI publishes, including documents published to the Internet, it is TI's usual practice to assign a literature number to the publication.
8. For each literature number assigned, TI tracks the date the literature with the assigned number is approved for publication on www.ti.com.
9. TI's usual practice is to associate each literature number with the relevant TI product(s) and/or product family(s) on www.ti.com.

10. Publications released to the internet for each associated product/product family are made available on TI's website, www.ti.com.
11. TI's website is, and at all times relevant to this declaration, searchable.
12. Exhibit 1 hereto is a true and correct copy of Literature Number SCDS018I for the Texas Instruments datasheet titled "SN74CBT3253, Dual 1-of-4 FET multiplexer/Demultiplexer," which I obtained from TI's records. TI's records indicate that the number "SN74BCT3253" – as opposed to "SN74CBT3253" – does not match any TI product sold.
13. Exhibit 2 hereto is a true and correct copy of Texas Instruments' Channel Media Authorization Change History for SCDS018I, which I obtained from TI's records. This document includes two entries for the SCDS018I datasheet: an Internet "Date to Add" of July 28, 1998, and a "Date of Withdraw" as June 1, 2000. Based on TI's regular practice, once an Internet "Date to Add" for a document is entered, the document was available on TI's website within 24 hours of that "Date to Add" date. Similarly, once a "Date to Withdraw" for a document is entered, the document is removed from the Internet within 24 hours of that "Date to Withdraw" date.

14. Accordingly, SCDS018I datasheet (Exhibit 1) was available to the public within 24 hours of July 28, 1998. The SCDS018I datasheet (Exhibit 1) remained available to the public on TI's website until June 1, 2000, when it was replaced by a new revision, i.e. Literature Number SCDS018J. During that period, SCDS018I datasheet (Exhibit 1) was available for download at www.ti.com at no cost. Users were not required to sign up for an account, or "log-in," to download the SCDS018I datasheet (Exhibit 1).

15. In addition to publishing datasheets for TI products on its public website www.ti.com, in the 1990's TI regularly published collections of its datasheets in "databooks." TI databooks were generally made available to the public at no cost, including TI's customers and others interested in the operation of TI's products. Print versions of TI databooks were available upon request.

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