

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

GESTURE TECHNOLOGY
PARTNERS, LLC,

Plaintiff

v.

HUAWEI DEVICE CO., LTD.,
HUAWEI DEVICE USA, INC.,

Defendants.

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CASE NO. 2:21-cv-00040-JRG
(Lead Case)

JURY TRIAL DEMANDED

GESTURE TECHNOLOGY
PARTNERS, LLC,

Plaintiff

v.

SAMSUNG ELECTRONICS CO., LTD.
AND SAMSUNG ELECTRONICS
AMERICA, INC.,

Defendants.

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CASE NO. 2:21-cv-00041-JRG
(Member Case)

JURY TRIAL DEMANDED

**DECLARATION OF DAVID M. FOX IN SUPPORT OF SAMSUNG DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT OF NO INFRINGEMENT
AND NO DAMAGES**

FILED UNDER SEAL

I, David M. Fox, hereby declare as follows:

I am an attorney at the law firm of Paul Hastings LLP, counsel for Defendants Samsung Electronics Co. Ltd. and Samsung Electronics America, Inc. (collectively, "Samsung") in the above-entitled consolidated action. I have personal knowledge of the facts stated herein and if called to testify could and would competently testify thereto.

1. Attached hereto as Exhibit A is a true and correct copy of Exhibit SAMSUNG-431 to the Expert Report of Benedict Occhiogrosso Regarding Infringement, dated October 20, 2021.

2. Attached hereto as Exhibit B is a true and correct copy of Exhibit SAMSUNG-079 to the Expert Report of Benedict Occhiogrosso Regarding Infringement, dated October 20, 2021.

3. Attached hereto as Exhibit C is a true and correct copy of excerpts from the deposition of Benedict Occhiogrosso, taken November 19, 2021.

4. Attached hereto as Exhibit D is a true and correct copy of Exhibit SAMSUNG-949 to the Expert Report of Benedict Occhiogrosso Regarding Infringement, dated October 20, 2021.

5. Attached hereto as Exhibit E is a true and correct copy of excerpts from Samsung's Responses to GTP's First Set of Interrogatories (Nos. 1-20), dated October 8, 2021.

6. Attached hereto as Exhibit F is a true and correct copy of excerpts from the deposition of Ryanggeun Oh, taken October 4, 2021.

7. Attached hereto as Exhibit G is a true and correct copy of excerpts from the deposition of Yonggyoo Kim, taken September 30, 2021.

8. Attached hereto as Exhibit H is a true and correct copy of excerpts from the deposition of Juwoan Yoo, taken October 5, 2021.

9. Attached hereto as Exhibit I is a true and correct copy of excerpts from the deposition of Byung-Jun Son, taken October 6, 2021.

10. Attached hereto as Exhibit J is a true and correct copy of excerpts from the deposition of Timothy Pryor, taken October 8, 2021.

11. Attached hereto as Exhibit K is a true and correct copy of excerpts from the Expert Report of Benedict Occhiogrosso Regarding Infringement, dated October 20, 2021.

12. Attached hereto as Exhibit L is a true and correct copy of excerpts from the deposition of Jeongho Cho, taken October 1, 2021.

13. Attached hereto as Exhibit M is a true and correct copy of excerpts from “Galaxy S6 edge+ User Manual” as produced by Samsung in the above captioned matter (SAM_GTP_00011596).

14. Attached hereto as Exhibit N is a true and correct copy of excerpts from “AR Emoji Introduction” as produced by Samsung in the above captioned matter (SAM_GTP_00031293).

15. Attached hereto as Exhibit O is a true and correct copy of excerpts from the Rebuttal Expert Report of Dr. Robert Stevenson Regarding Non-Infringement, dated November 17, 2021.

16. Attached hereto as Exhibit P is a true and correct copy of excerpts from “Camera UI Basic Interaction” as produced by Samsung in the above captioned matter (SAM_GTP_00036300).

17. Attached hereto as Exhibit Q is a true and correct copy of U.S. Patent No. 7,933,431.

18. Attached hereto as Exhibit R is a true and correct copy of U.S. Patent No. 8,194,924.

19. Attached hereto as Exhibit S is a true and correct copy of U.S. Patent No. 8,553,079.

20. Attached hereto as Exhibit T is a true and correct copy of U.S. Patent No. 8,878,949.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 1st day of December, 2021 in Milpitas, California.

/s/ David M. Fox
David M. Fox

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule CV-5 on December 1, 2021. As of this date, all counsel of record had consented to electronic service and are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3)(A) and by email.

/s/ Christopher W. Kennerly
Christopher W. Kennerly

CERTIFICATE OF AUTHORIZATION TO SEAL

I hereby certify that under Local Rule CV-5(a)(7), the foregoing document is filed under seal pursuant to the Court's Protective Order entered in this matter.

/s/ Christopher W. Kennerly
Christopher W. Kennerly