

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

ADVANCED MICRODEVICES, INC. and
ATI TECHNOLOGIES ULC,

Plaintiffs,

v.

TCL INDUSTRIES HOLDINGS CO., LTD.;
TCL INDUSTRIES HOLDINGS (H.K.)
LIMITED; TCL ELECTRONICS
HOLDINGS LIMITED; TCL
TECHNOLOGY GROUP CORPORATION;
TTE CORPORATION; TCL HOLDINGS
(BVI) LIMITED; TCL KING ELECTRICAL
APPLIANCES (HUIZHOU) CO. LTD.;
SHENZHEN TCL NEW TECHNOLOGIES
CO., LTD.; TCL MOKA INTERNATIONAL
LIMITED; TCL SMART DEVICE
(VIETNAM) CO., LTD; MANUFACTURAS
AVANZADAS SA DE CV; TCL
ELECTRONICS MEXICO, S DE RL DE CV;
TCL OVERSEAS MARKETING LTD.; and
REALTEK SEMICONDUCTOR CORP.,

Defendants.

C.A. No. 2:22-cv-00134-JRG

JURY TRIAL DEMANDED

**DECLARATION OF ROBERT J. BENSON IN SUPPORT OF
DEFENDANT REALTEK SEMICONDUCTOR CORP.'S OPPOSITION TO
PLAINTIFFS' MOTION FOR DISCRETIONARY STAY PENDING FINAL
DETERMINATION BY THE ITC OF INVESTIGATION NO. 337-TA-1318**

I, Robert J. Benson, declare as follows:

1. I am a Partner at Orrick, Herrington & Sutcliffe LLP. I represent Defendant Realtek Semiconductor Corp. (“Realtek”) in this action.
2. I submit this Declaration in support of Defendant Realtek Semiconductor Corp.’s Opposition to Plaintiffs’ Motion for Discretionary Stay Pending Final Determination by the ITC of Investigation No. 337-TA-1318.
3. I have personal knowledge of the facts set forth in this declaration, except as otherwise stated. I am competent to testify as to all matters stated, and if called upon to do so, I would testify to the facts set forth in this declaration.
4. Attached hereto as Exhibit 1, is a true and correct copy of the proposed Docket Control Order for Patent Cases Assigned to Judge Rodney Gilstrap and Judge Roy Payne, which was provided to counsel at the scheduling conference in *Advanced Micro Devices, Inc., et al. v. TCL Industries Holdings Co., Ltd., et al.*, U.S. District Court for the Eastern District of Texas, Marshall Division, Case No. 2:22-cv-01345-JRG-RSP.
5. Attached hereto as Exhibit 2 is a true and correct copy of the Complaint filed on September 17, 2020 in *Koninklijke Philips N.V. et al v. Realtek Semiconductor Corp.*, U.S. District Court for the District of Delaware, Case No. 1:20-cv-01247-CFC.
6. Attached hereto as Exhibit 3 is a true and correct copy of the Complaint filed on September 18, 2020 in *Certain Digital Video-Capable Devices and Components Thereof*, Case No. 337-TA-1224.
7. Attached hereto as Exhibit 4 is a true and correct copy of the public version of the Corrected Commission Opinion issued on April 26, 2022 in *Certain Digital Video-Capable Devices and Components Thereof*, Case No. 337-TA-1224. Complainant did not file a notice of

appeal with the Federal Circuit appealing this decision of the Commission, and its statutory time for filing a notice of appeal has expired.

8. Attached hereto as Exhibit 5 is a true and correct copy of an email dated May 27, 2022 between Peter Snell and counsel bearing the subject line “Philips – District Court Actions (D. Del. And C.D. Cal)” and the attachment to that email.

9. Attached hereto as Exhibit 6 is a true and correct copy of an email string dated August 4, 2022 between Adam Rizk and counsel bearing the subject line “2:22-cv-00134: E.D. Tex.”

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 5th day of August, 2022.

/s/ Robert J. Benson
Robert J. Benson