

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

MAXELL, LTD.,

Plaintiff

v.

APPLE INC.,

Defendant.

Civil Action NO. 5:19-cv-00036-RWS

JURY TRIAL DEMANDED

**DECLARATION OF JOHN GIBSON
IN SUPPORT OF APPLE'S MOTION FOR LEAVE**

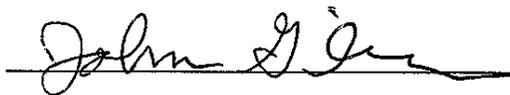
I, John Gibson, declare as follows:

1. I am employed as a technical analyst at the law firm of Erise IP, P.A., an intellectual property law firm retained by Apple Inc. I have personal knowledge of the facts set forth in this declaration, if called to testify as a witness, could and would do so under oath.
2. I have investigated prior art relevant to patents asserted in the above-referenced case under the direction of counsel at Erise IP.
3. In the context of my investigation into relevant prior art, on or around October 16, 2019, I found a German website of a digital camera enthusiast, <http://digitalkameramuseum.de>, that contains information about certain models of digital cameras sold between 1973 and 2003. This website contains information about well over a hundred digital camera models released before January 2000.
4. Over the course of the next several days, I reviewed the descriptions of many digital cameras listed on the <http://digitalkameramuseum.de> website to identify candidate products that may be relevant to U.S. Patent No. 8,339,493 (the "'493 Patent") for further investigation and analysis. By October 22, 2019, I narrowed the candidate products to about two to three dozen products based on the descriptions on the website. Because these descriptions on the website did not provide me sufficient details to analyze the cameras against the claims of the '493 Patent, I was unable to determine from the website alone which products, if any, would warrant further investigation and analysis.
5. Starting on October 22, 2019, I began to search for the product manuals and any other publicly-available technical information for each of the narrowed list of product candidates I identified. This was a time-consuming effort because manufacturers stopped selling these products years ago, and product specifications and literature were often difficult to find.

6. From October 23 through October 25, 2019, I reviewed numerous digital camera manuals, including a copy of the user's manual for the Casio QV-8000SX digital camera (the "Casio Camera"). As part of this review, I determined on or about October 25 that the user's manual for the Casio Camera appear to include technical information relevant to the claims of the '493 Patent, and began to work with counsel at Erise IP to investigate the relevance of the Casio Camera to the claims of the '493 Patent.

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

Executed on November 14, 2019, in Topeka, Kansas.

A handwritten signature in black ink, appearing to read "John Gibson", written over a horizontal line.

John Gibson