

FILED UNDER SEAL

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

MAXELL, LTD.,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 5:19-cv-00036-RWS

JURY TRIAL DEMANDED

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**DECLARATION OF LUIZ MIRANDA IN SUPPORT OF
MAXELL, LTD.'S MOTION FOR PARTIAL SUMMARY JUDGMENT OF NO
INVALIDITY OF U.S. PATENT NOS. 6,748,317, 6,580,999, AND 6,430,498 IN VIEW OF
THE ABOWD AND CYBERGUIDE ALLEGED PRIOR ART**

I, Luiz Miranda, hereby declare and state as follows:

1. I am an attorney at Mayer Brown LLP, counsel for Plaintiff Maxell, Ltd. ("Maxell") in the above-captioned lawsuit. I submit this declaration in support of Maxell's Motion for Partial Summary Judgment of No Invalidity Of U.S. Patent Nos. 6,748,317, 6,580,999, and 6,430,498 in View of the Abowd and Cyberguide alleged Prior Art (the "Motion"). I have personal knowledge of the statements herein, and, if called to do so, I could and would testify competently as to the same.

2. Attached as Exhibit 1 is a true and correct excerpt from the Opening Expert Report of Dr. Joseph A. Paradiso Regarding Invalidity of U.S. Patent Nos. 6,748,317, 6,580,999, and 6,430,498, served on May 7, 2020.

3. Attached as Exhibit 2 is a true and correct copy of the Expert Report of Robert L. Stoll, served on June 4, 2020.

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4. Attached as Exhibit 3 is a true and correct copy of the Expert Report of Jacob Robert Munford Concerning Publication and Public Accessibility and exhibits thereto, served on May 7, 2020.

5. Attached as Exhibit 4 is a true and correct excerpt from the deposition transcript of Jacob R. Munford dated June 19, 2020.

I declare under penalty of perjury under the laws of the United States of America that the above is true and correct and that this Declaration was executed on July 2, 2020 in Chicago, IL.

Dated: July 2, 2020

By:



Luiz Miranda