

**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 MARK LIANG IN SUPPORT OF APPLE INC.'S BRIEF IN
OPPOSITION TO 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 ABOARD AND CYBERGUIDE**

I, Mark Liang, declare as follows:

1. I am an attorney at the law firm of O'Melveny & Myers LLP, counsel for Defendant Apple Inc. ("Apple") in this matter instituted by Plaintiff Maxell, Ltd. ("Maxell"). I am a member in good standing of the State Bar of California and have been admitted to practice before this Court. The statements below are based on personal knowledge and/or investigation of the facts stated herein and if called to testify could competently testify to their substance.
2. Attached as Exhibit 1 is a true and correct copy of excerpts from the Opening Expert Report Of Dr. Joseph A. Paradiso Regarding Invalidity Of U.S. Patent Nos. 6,748,317, 6,580,999, 6,430,498, dated May 7, 2020.
3. Attached as Exhibit 2 is a true and correct copy of the Expert Report Of Jacob Robert Munford Concerning Publication And Public Accessibility, dated May 7, 2020.
4. Attached as Exhibit 3 is a true and correct copy of a screenshot of a webpage titled "Library Research at Cornell: Library Jargon," from the Cornell University Library website, printed on July 10, 2020.
5. Attached as Exhibit 4 is a true and correct copy of a screenshot of a webpage titled "What does "non-circulating" mean?" from the Yale University Library website, printed on July 10, 2020.
6. Attached as Exhibit 5 is a true and correct copy of the transcript from Jacob Robert Munford's deposition, taken on June 19, 2020.
7. Attached as Exhibit 6 is a true and correct copy of excerpts from an article titled "Cyberguide: A Mobile Context-Aware Tour Guide," by Gregory D. Abowd et al., dated September 23, 1996.
8. Attached as Exhibit 7 is a true and correct copy of excerpts from Defendant Apple Inc.'s Second Amended Initial And Additional Disclosures, Filed March 5, 2020.

9. Attached as Exhibit 8 is a true and correct copy of Apple Inc.'s Trial Witness List, served on June 25, 2020.

10. Attached as Exhibit 9 is a true and correct copy of the transcript from Dr. Joseph A. Paradiso's deposition, taken on June 16, 2020.

11. Attached as Exhibit 10 is a true and correct copy of excerpts from the Expert Report Of Robert Stoll, dated June 4, 2020.

12. Attached as Exhibit 11 is a true and correct copy of excerpts from the transcript from Robert Stoll's deposition, taken on June 18, 2020.

13. Attached as Exhibit 12 is a true and correct copy of a screenshot of the Class Profile for the 2019 fall semester, from the University of Pittsburgh Admissions website, printed on July 3, 2020.

14. Attached as Exhibit 13 is a true and correct copy of a screenshot of a webpage titled "Why Work at Pitt?" from the University of Pittsburgh Office of Human Resources, printed on July 3, 2020.

15. Attached as Exhibit 14 is a true and correct copy of a screenshot of the front page of the University of Pittsburgh Alumni website, printed on July 3, 2020.

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

Executed July 23, 2020, in San Francisco, California.

/s/ Mark Liang
Mark Liang