

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

MAXELL, LTD.,

Plaintiff,

vs.

APPLE INC.,

Defendant.

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



JURY TRIAL DEMANDED

**DECLARATION OF XIN-YI ZHOU IN SUPPORT OF DEFENDANT APPLE INC.'S
REPLY IN SUPPORT OF ITS *DAUBERT* MOTION
TO EXCLUDE TESTIMONY AND OPINIONS OF MAXELL'S EXPERTS FOR
IMPROPER APPLICATION OF THE COURT'S CLAIM CONSTRUCTION**

I, Xin-Yi Zhou, 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 6** is a true and correct copy of excerpts from the transcript from the deposition of Apple's expert witness, Benjamin B. Bederson, taken on June 19, 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 Los Angeles, California.

/s/ Xin-Yi Zhou

Xin-Yi Zhou