

**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 XIN-YI ZHOU IN SUPPORT OF APPLE INC.'S SUR-REPLY IN  
SUPPORT OF ITS OPPOSITION TO MAXELL, LTD.'S MOTION TO STRIKE  
PORTIONS OF APPLE'S REBUTTAL EXPERT REPORTS BASED ON UNTIMELY  
CLAIM CONSTRUCTION POSITIONS**

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 21** is a true and correct copy of excerpts from the transcript from the deposition of Apple's expert Dr. Joseph A. Paradiso, taken on June 16, 2020.

3. Attached as **Exhibit 22** is a true and correct copy of an excerpt from Petition for *Inter Partes* Review of U.S. Patent No. 6,580,999 (Case No. IPR2020-00409), filed and served on January 13, 2020.

4. Attached as **Exhibit 23** is a true and correct copy of an excerpt from Petition for *Inter Partes* Review of U.S. Patent No. 6,748,317 (Case No. IPR2020-00407), filed and served on January 13, 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 30, 2020, in Los Angeles, California.

/s/ Xin-Yi Zhou  
Xin-Yi Zhou