

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

**DECLARATION OF TIFFANY A. MILLER IN SUPPORT OF MAXELL, LTD.’S SUR-
REPLY IN OPPOSITION TO APPLE INC.’S MOTION TO STAY PENDING
PROCEEDINGS AT THE PATENT OFFICE OR, IN THE ALTERNATIVE TO
CONTINUE TRIAL DUE TO THE COVID-19 PANDEMIC**

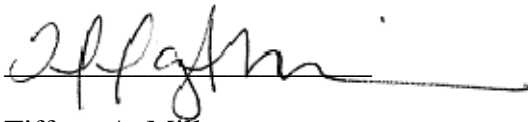
I, Tiffany A. Miller, hereby declare and state as follows:

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 Sur-Reply in Opposition to Apple Inc.’s Motion to Stay Pending Proceedings at the Patent Office or, in the Alternative to Continue Trial Due to the COVID-19 Pandemic. 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 D is a true and correct copy of an excerpt from the United State Patent and Trademark Office’s Decision Denying Institution of *Inter Partes* Review for IPR2020-00201 (Patent 7,116,438), 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 March 8, 2021 in Washington, D.C.

Dated: March 8, 2021

By: 
Tiffany A. Miller