

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

ANCORA TECHNOLOGIES, INC.,

Plaintiff,

v.

LG ELECTRONICS, INC. and LG
ELECTRONICS U.S.A., INC.,

Defendants.

CIVIL ACTION NO. 1:20-CV-00034-ADA

JURY TRIAL DEMANDED

ANCORA TECHNOLOGIES, INC.,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD.,
and SAMSUNG ELECTRONICS
AMERICA, INC.,

Defendants.

CIVIL ACTION NO. 1:20-CV-00034-ADA

JURY TRIAL DEMANDED

**DECLARATION OF THOMAS E. GARTEN IN SUPPORT OF DEFENDANTS
SAMSUNG ELECTRONICS CO., LTD. AND SAMSUNG ELECTRONICS AMERICA,
INC.'S REPLY IN SUPPORT OF MOTIONS FOR SUMMARY JUDGMENT**

I, Thomas E. Garten, declare and state as follows:

1. I am over the age of eighteen years, of sound mind, and competent to make this declaration. I am an attorney at the law firm of Covington & Burling LLP and represent Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. ("Samsung") in the above-captioned case. I have personal knowledge of the facts set forth in this declaration and, if called as a witness, I would testify competently to these facts.

2. Attached as **Exhibit 1** to this Declaration is a true and correct copy of excerpts from the Markman hearing transcript in *Neodron, Ltd. v. Dell Technologies, Inc.*, dated June 30, 2020.

3. Attached as **Exhibit 2** to this Declaration is a true and correct copy of excerpts from the Markman hearing transcript in *Nordic Interactive Technologies, LLC v. Samsung Electronics Company, Ltd. and Samsung Electronics America, Inc.*, dated December 29, 2020.

4. Attached as **Exhibit 3** to this Declaration is a true and correct copy of excerpts from Dr. Erez Zadok's Declaration in Support of Petition for *Inter Partes* Review of U.S. Patent No. 6,411,941, dated June 25, 2020.

5. Attached as **Exhibit 4** to this Declaration is a true and correct copy of excerpts from Plaintiff's Preliminary Infringement Contentions, dated November 27, 2019.

6. Attached as **Exhibit 5** to this Declaration is a true and correct copy of excerpts from the Expert Report of Dr. Scott M. Nettles, dated November 20, 2020.

7. Attached as **Exhibit 6** to this Declaration is a true and correct copy of excerpts from Ancora's Patent Owner Preliminary Response, dated October 30, 2020.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. This declaration was executed on March 1, 2021, in Oakland, CA.

Dated: March 1, 2021

Respectfully submitted,

/s/ Thomas E. Garten

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