

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

BANDSPEED, LLC,

Plaintiff,

v.

REALTEK SEMICONDUCTOR CORP.,

Defendant.

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C.A. No. 1:20-cv-00765

**DECLARATION OF LIN, HOU WEI IN SUPPORT OF
DEFENDANT REALTEK SEMICONDUCTOR CORP.'S MOTION TO DISMISS
FOR LACK OF PERSONAL JURISDICTION,
FAILURE TO STATE A CLAIM, AND DELAY IN SERVICE**

I, Lin, Hou Wei, hereby declare as follows:

1. I am currently employed by Realtek Semiconductor Corporation ("Realtek") as Chief Officer in Communications Network Business Group Bu IV. I have been employed at Realtek since November 26, 2001.
2. I am over 18 years of age. I have personal knowledge of the facts set forth herein and, if called upon as a witness, I could competently testify to them under oath.
3. I submit this declaration in support of Realtek's Motion to Dismiss for Lack of Personal Jurisdiction, Failure to State a Claim, and Delay in Service.
4. I understand that Plaintiff Bandspeed, LLC ("Bandspeed") has sued Realtek in the above-captioned action (the "Lawsuit"), alleging infringement of U.S. Patent Nos. 7,027,418 (the "418 Patent"), 7,477,624 (the "624 Patent"), 7,570,614 (the "614 Patent"), 7,903,608 (the "608 Patent"), 8,542,643 (the "643 Patent"), 8,873,500 (the "500 Patent"), 9,379,769 (the "769 Patent"), and 9,883,520 (the "520 Patent") (collectively, the "Patents"). I understand that in the Lawsuit, Bandspeed accuses products "that use, practice, and/or comply with the Bluetooth Core

Specification Version 2.0+EDR or higher” and products “that use, practice, and/or comply with the Bluetooth low energy protocol” version 4.0 or later (collectively, “Accused Components”).
Complaint ¶¶ 28-30.

5. Realtek is organized under the laws of Taiwan. Realtek’s principal place of business is located at No. 2 Innovation Road II, Hsinchu Science Park, Hsinchu 300, Taiwan.

6. In response to Bandspeed’s allegations in the Lawsuit, Realtek has investigated whether any connections exist between Realtek and Texas.

7. As of today, Realtek is not authorized, registered, or licensed to do business in Texas and has no place of business, or operations in Texas. As of today, Realtek does not own, lease, or otherwise maintain any real property, personal property, telephone listing, office space or equipment, bank accounts, or other assets in Texas.

8. In general, as of today, Realtek sells its products, including the Accused Components, directly to distributors outside of Texas. In general, Realtek’s direct customers resell products to other third parties that may use those chips in consumer products they manufacture.

9. I understand that Bandspeed has alleged that Realtek “provides” Accused Components “to be used as components in” products made by Asustek Computer Inc. (“Asustek”). *See* Complaint ¶¶ 38-39. However, Realtek does not sell Accused Components directly to Asustek in Texas or elsewhere in the United States.

10. I understand that Bandspeed has alleged that Best Buy sells products containing Accused Components. *See* Complaint ¶ 47. However, Realtek does not sell Accused Components directly to Best Buy in Texas or elsewhere in the United States.

11. I understand that Bandspeed has alleged that Realtek “provides” Accused Components “to be used as components in” products made by JLab Audio (“JLab”). *See* Complaint ¶¶ 50-51. However, Realtek does not sell Accused Components directly to JLab in Texas or elsewhere in the United States.

12. I understand that Bandspeed has alleged that Target sells products containing Accused Components. *See* Complaint ¶ 60. However, Realtek does not sell Accused Components directly to Target in Texas or elsewhere in the United States.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

Executed on February 25, 2022 in Hsinchu, Taiwan.

Lin Hou Wei
Lin, Hou Wei