

EXHIBIT 1

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

BANDSPEED, LLC,

Plaintiff,

v.

REALTEK SEMICONDUCTOR
CORPORATION,

Defendant.

§
§
§
§
§
§
§
§
§
§

CASE NO. 1:20-cv-00765-LY

EXPERT DECLARATION OF

Dr. José Luis Meléndez

REGARDING CLAIM CONSTRUCTION

TABLE OF CONTENTS

I. INTRODUCTION 1
II. LEGAL BASIS FOR OPINION 4
III. CLAIM CONSTRUCTION ANALYSIS 8

This declaration is submitted pursuant to Rule 26(a)(2) of the Federal Rules of Civil Procedure.

I. INTRODUCTION

A. Asserted Patents

I understand that Bandspeed, LLC (“Bandspeed” herein) has asserted that Realtek Semiconductor Corporation (“Realtek” or “Defendant” herein) infringes the following U.S. Patent Nos.: 7,027,418 (“418 Patent” or “418”); 7,477,624 (“624 Patent” or “624”); 7,570,614 (“614 Patent” or “614”); 7,903,608 (“608 Patent” or “608”); 8,542,643 (“643 Patent” or “643”); 8,873,500 (“500 Patent” or “500”); 9,379,769 (“769 Patent” or “769”); and 9,883,520 (“520 Patent” or “520”) and collectively the “Asserted Bandspeed Patents” or “Asserted Patents”.

B. Retention

In connection with *Bandspeed, LLC v. Realtek Semiconductor Corporation*, Civil Action No. WDTX-1-20-cv-00765 (the “Case”), I have been retained by counsel for Bandspeed to provide expert analysis and offer my opinions regarding the subject patents, aspects related to the Case, and the meaning of claim terms as would be understood by a person of ordinary skill in the art (POSITA). The purpose of this declaration is to set forth my opinions regarding these issues. I submit this declaration as part of my preparation to provide testimony at the claim construction hearing in the Case if called upon to do so.

My company is paid for my work in the Case in the amount of \$450 per hour. The compensation is not dependent upon the outcome of the Case. Bandspeed may also reimburse my company for travel and other expenses incurred in the course of my work on this Case. Neither my company nor myself have any personal interest in the outcome of the Case.

My qualifications for opining as documented in this Declaration are summarized in my

Curriculum Vitae (or “CV”), which is included with this declaration, and include my education, training, and experience of over 35 years. Exhibit 2. My CV also includes a list of my patents and publications. The opinions I express in this Declaration are based on my own personal knowledge and professional judgment. If called as a witness in the Case, I am prepared to testify competently about my opinions. If asked, I may also provide a brief tutorial on the relevant technologies associated with the Bandspeed Patents including topics such as hardware and software, as well as an explanation of the general nature of wireless communication.

C. Qualifications

1. Background and Experience

I was born in and am a citizen of the United States. I reside in Mayaguez, Puerto Rico. I have a Bachelor of Science in Electrical Engineering from the Massachusetts Institute of Technology (awarded June 4, 1990) and graduated with a Grade Point Average of 5.0/5.0. I also obtained a Master of Science in Electrical Engineering and Computer Science from the Massachusetts Institute of Technology (awarded February 20, 1991) with a Grade Point Average of 4.8/5.0. I also hold a Doctor of Philosophy in Electrical Engineering from Stanford University (awarded January 6, 1994) with a Grade Point Average of 4.0/4.0.

Amongst other topics, my doctoral thesis involved the definition, solution and validation of a stiffly coupled differential equation model for the formation of semiconductor devices useful in high performance military systems. Amongst other accomplishments, for my doctoral thesis I developed novel algorithms for the solution of the complex equations and implemented those algorithms in computer code.

I am co-inventor of patented technology related to the formation and maintenance of high data rate wireless data links. Devices exhibiting 100 Mb/sec data rates utilizing the high data rate

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.