

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

ANCORA TECHNOLOGIES, INC.,

Plaintiff,

vs.

GOOGLE LLC,

Defendant.

CIVIL ACTION NO. 6:21-cv-735-
ADA

JURY TRIAL DEMANDED

**DECLARATION OF ROBERT W. UNIKEL IN SUPPORT OF DEFENDANT
GOOGLE LLC'S OPPOSED MOTION TO TRANSFER**

I, Robert W. Unikel, declare as follows:

1. I am an attorney with the law firm Paul Hastings LLP and counsel for Defendant Google LLC (“Google”). I have personal knowledge of the facts contained in the declaration and, if called upon to do so, I could and would testify competently to the matters set forth herein.

2. Ancora Technologies, Inc. has accused certain Google products, to which Google allegedly sent an over-the-air (“OTA”) update, of infringement. Google’s identification of the accused products is based on Google’s current understanding of Ancora’s infringement contentions.

3. Attached hereto as Exhibit A is a true and correct copy of U.S. Patent No. 6,411,941.

4. Attached hereto as Exhibit B is a true and correct copy of the LinkedIn profile for Miki Mullor.

5. Attached hereto as Exhibit C is a true and correct copy a webpage entitled “Ancora: your digital peace of mind” accessed on November 22, 2021, located at <https://web.archive.org/web/20090225095655/http://ancoratech.com:80/management.htm>.

6. Attached hereto as Exhibit D is a true and correct copy of Document 25-1 from 6:21-cv-00738-ADA filed 10/28/2021 reflecting the State of Delaware Annual Franchise Tax Report for Ancora Technologies, Inc.

7. Attached hereto as Exhibit E is a true and correct copy of an image capture from Google Maps of 23977 S.E. 10th St., Sammamish, Washington.

8. Attached hereto as Exhibit F is a true and correct copy of *Ancora Technologies, Inc. v. Apple, Inc.*, No. 2:10-cv-10045-AG-MLGx, Dkt. 55 (C.D. Cal. Nov. 21, 2011).

9. Attached hereto as Exhibit G is a true and correct copy of the Electronic Arts “About EA” webpage accessed on November 22, 2021, located at <https://www.ea.com/about>.

10. Attached hereto as Exhibit H is a true and correct copy of a profile for Micromedia Systems, Inc. accessed on November 22, 2021, located at <https://www.buzzfile.com/business/Hitron-Systems-408-980-8588>.

11. Attached hereto as Exhibit I is a true and correct copy of the D&B Business Directory webpage for Macrovision Corp, accessed on November 22, 2021, located at https://www.dnb.com/business-directory/company-profiles/macrovision_corp.a91bef465e0ae3c8d7f317e21412defa.html.

12. Attached hereto as Exhibit J is a true and correct copy of a webpage entitled “About BAE Systems in the United States,” accessed on November 22, 2021, located at <https://www.baesystems.com/en-us/our-company/bae-systems-inc/about-us>.

13. Attached hereto as Exhibit K is a true and correct copy of the LinkedIn profile for Phoenix Technologies.

14. Attached hereto as Exhibit L is a true and correct copy of an Israel Company Report for Active Card Ltd., accessed on November 22, 2021, located at <https://www.israelbizreg.com/active-card-ltd>.

15. Upon a diligent search, Google could not confirm the locations of Beeble, Inc. or Warner Brothers Music Group with reasonable certainty.

16. Attached hereto as Exhibit M is a true and correct copy of the LinkedIn profile for Alberto Saavedra.

17. Attached hereto as Exhibit N is a true and correct copy of the LinkedIn profile for Michael Sentovich.

18. Attached hereto as Exhibit O is a true and correct copy of the LinkedIn profile for Fred Fourcher.

19. Attached hereto as Exhibit P is a true and correct copy of the Wikipedia page for American Megatrends, accessed on November 23, 2021, located at https://en.wikipedia.org/wiki/American_Megatrends.

20. Upon a diligent search, Google could not confirm the locations of Dan Weil, Blair Bryant, Stuart Rose, Dan Bright, Mark Andre, or Jeff Lorenzini with reasonable certainty.

21. According to Docket Navigator, one IPR has been instituted against the asserted patent in this case, based on three prior art references: U.S. Patent Nos. 4,658,093; 5,892,906; and 5,933,498. *See TCT Mobile (US) Inc. et al v. Ancora Technologies, Inc.*, PTAB-IPR2020-01609.

22. Attached hereto as Exhibit Q is a true and correct copy of U.S. Patent No. 4,658,093.

23. Attached hereto as Exhibit R is a true and correct copy of the LinkedIn profile for Martin Hellman.

24. Attached hereto as Exhibit S is a true and correct copy of U.S. Patent No. 5,892,906.

25. Attached hereto as Exhibit T is a true and correct copy of the LinkedIn Profile for Joseph Kulinets.

26. Attached hereto as Exhibit U is a true and correct copy of the LinkedIn Profile for Laszlo Elteto.

27. Upon a diligent search, Google could not confirm the locations of Wayne Chou or Joseph LaRussa with reasonable certainty.

28. Upon a diligent search, Google could not confirm the location of Paul B. Schneck with reasonable certainty.

29. Attached hereto as Exhibit V is a true and correct copy of U.S. Patent No. 5,933,498.

30. Attached hereto as Exhibit W is a true and correct copy of the LinkedIn profile for Marshall Abrams.

31. Upon a diligent search, Google could not confirm the location of Paul B. Schneck with reasonable certainty.

32. Attached hereto as Exhibit X is a true and correct copy of Document 25-14 from 6:21-cv-00738-ADA filed 10/28/2021 reflecting the LinkedIn profile for Julian Vlaiko.

33. According to Docket Navigator, Ancora has asserted the patent asserted in this case against numerous defendants in different forums including the Central District of California, Northern District of California, Western District of Texas, District of Delaware, Western District of Washington, and briefly in the Eastern District of Texas before it was transferred to California. Each district except the EDTX undertook substantive consideration and analysis of the asserted patent.

34. According to Docket Navigator, three courts have construed the claims of the patent: the NDCA, WDTX, and CDCA.

35. Attached hereto as Exhibit Y is a true and correct copy of *Cub Club Investment, LLC v. Apple, Inc.*, No. 6:20-cv-00856-ADA, Dkt. 28 (W.D. Tex. Sept. 7, 2021).

36. Attached hereto as Exhibit Z is a true and correct copy of Google flights from Boulder, Colorado to Waco, Texas sorted by duration.

37. Attached hereto as Exhibit AA is a true and correct copy of Google flights from Boulder, Colorado to San Francisco, California sorted by duration.

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