

**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

ANCORA TECHNOLOGIES, INC.,

Plaintiff,

vs.

ROKU, INC.,

Defendant.

CIVIL ACTION NO. 6:21-cv-737-ADA

JURY TRIAL DEMANDED

ANCORA TECHNOLOGIES, INC.,

Plaintiff,

vs.

NINTENDO CO., LTD., and RETRO  
STUDIOS, INC.,

Defendant.

CIVIL ACTION NO. 6:21-cv-738-ADA

JURY TRIAL DEMANDED

**DECLARATION OF ROBERT W. UNIKEL IN SUPPORT OF DEFENDANTS'  
OPENING CLAIM CONSTRUCTION BRIEF**

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. Attached hereto as Exhibit 1 is a true and correct copy of U.S. Patent No. 6,311,941, issued on June 25, 2002.

3. Attached hereto as Exhibit 2 is a true and correct copy of excerpts from *The BIOS Companion*, bearing the Bates range GOOG-ANCORA-00000980–GOOG-ANCORA-00001009.

4. Attached hereto as Exhibit 3 is a true and correct copy of the Amendment dated February 5, 2002, excerpted from the prosecution history of U.S. Application No. 09/164,777.

5. Attached hereto as Exhibit 4 is a true and correct copy of the Notice of Allowability dated March 28, 2002, excerpted from the prosecution history of U.S. Application No. 09/164,777.

6. Attached hereto as Exhibit 5 is a true and correct copy of the deposition transcript of Ian Jestice, taken May 3, 2012 in *Ancora Technologies, Inc. v. Apple, Inc.*, No. 4:11-cv-11-6357-YGR (N.D. Cal.).

7. Attached hereto as Exhibit 6 is a true and correct copy of excerpts from the *Microsoft Press Computer User’s Dictionary*, bearing the Bates range NIN\_ANC\_0027186–NIN\_ANC\_0027192.

8. Attached hereto as Exhibit 7 is a true and correct copy of excerpts from the *Dictionary of Computer and Internet Terms*, bearing the Bates range NIN\_ANC\_0026369–NIN\_ANC\_0026376.

9. Attached hereto as Exhibit 8 is a true and correct copy of *What Is The BIOS*, an article in Smart Computing magazine.

10. Attached hereto as Exhibit 9 is a true and correct copy of excerpts from *Beyond BIOS: Developing with the Unified Extensible Firmware Interface xi–xii* (2d ed. 2010).

11. Attached hereto as Exhibit 10 is a true and correct copy of the Patent Owner’s Preliminary Response to Petition, No. CBM2017-00054 (Jun. 15, 2017).

12. Attached hereto as Exhibit 11 is a true and correct copy of Plaintiff’s Opening Claim Construction Brief, *Ancora Techs. v. LG Elecs. Inc.*, No. 1:20-CV-00034-ADA, Dkt. 44 at 18 (W.D. Tex. Mar, 20, 2020).

13. Attached hereto as Exhibit 12 is a true and correct copy of the Supplemental Claim Construction Order, *Ancora Techs. v. LG Elecs. Inc.*, No. 1:20-CV-00034-ADA, Dkt. 93 (W.D. Tex. Aug. 19, 2020).

14. Attached hereto as Exhibit 13 is a true and correct copy of Patent Owner’s Preliminary Response at 20–31, IPR2021-01406 (Dec. 17, 2021).

15. Attached hereto as Exhibit 14 is a true and correct copy of the Final Claim Constructions of the Court, *Ancora Techs. v. LG Elecs. Inc.*, No. 1:20-CV-00034-ADA, Dkt. 69 at 4 (W.D. Tex. June 2, 2020).

16. Attached hereto as Exhibit 15 is a true and correct copy of the Application dated October 1, 1998, excerpted from the prosecution history of U.S. Application No. 09/164,777.

17. Attached hereto as Exhibit 16 is a true and correct copy of the Amendment dated May 21, 2001, excerpted from the prosecution history of U.S. Application No. 09/164,777.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 27th day of January, 2022 in Chicago, Illinois.

/s/ Robert W. Unikel

Robert W. Unikel