

# EXHIBIT 4

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

OZMO LICENSING LLC,

Plaintiff,

v.

DELL TECHNOLOGIES INC. and  
DELL INC.,

Defendants.

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Case No. 6:22-cv-00642-ADA

**DECLARATION OF JAMES A. PROCTOR, JR.**

I, James A. Proctor, Jr., hereby declare as follows:

1. I am over 21 years old of age and otherwise competent to make this Declaration. I make this declaration based on facts and matters within my own knowledge and on information provided to me by others, and, if called as a witness, I could and would competently testify to the matter set forth herein.

2. I have been retained as an expert witness on behalf of Dell Technologies Inc. and Dell Inc. (collectively, “Dell” or “Defendants”) in the above-referenced litigation. I understand that this Declaration is being relied upon by the Defendants’ Opening Claim Construction Brief.

3. I have been asked to opine on matters of claim construction for U.S. Patent Nos. 8,599,814 (“the ’814 patent”); 9,264,991 (“the ’991 patent”); 10,873,906 (“the ’906 patent”); 11,012,934 (“the ’934 patent”); 11,122,504 (“the ’504 patent”); and 11,252,659 (“the ’659 patent”) (collectively, the “Asserted Patents”).

4. In preparing this Declaration, I have reviewed the Asserted Patents and their file histories, the constructions proposed by the parties, and any other documents referenced in this Declaration.

5. In forming the opinions expressed in this declaration, I relied upon my education and experience in the relevant field of the art and have considered the viewpoint of a person having ordinary skill in the relevant art as of March 14, 2005-2006.

6. I am being compensated for my time in connection with this Declaration at my standard consulting rate of \$500 per hour. My compensation is in no way dependent on the outcome of this matter and does not affect the substance of my statements and opinions in this Declaration. I do not have any financial interests relating to Defendants, Plaintiff Ozmo Licensing LLC (“Ozmo” or “Plaintiff”), or the Asserted Patents.

## DECLARATION OF JAMES PROCTOR

### I. BACKGROUND AND QUALIFICATIONS

7. My background and expertise that qualify me as an expert are described in detail in my *Curriculum Vitae* attached as **Attachment A**, which further includes an accurate list of all publications authored by me in the previous 10 years and a list of all cases in which I testified as an expert at trial or by deposition during the previous 4 years. Below I have summarized those qualifications, as well as any other background and expertise relevant to the technical issues in this case:

8. My educational background includes a Bachelor of Science in Electrical Engineering (BSEE) from the University of Florida in 1991 and Master of Science in Electrical Engineering (MSEE) from the Georgia Institute of Technology (“Georgia Tech”) in 1992 focusing on digital signal processing.

9. I have worked as an engineer and entrepreneur in the field of wireless communications for over 25 years and have been involved with various aspects of wireless communications for the duration of my career.

10. From 1986 to 1991, while at the University of Florida, I interned with Harris Corporation in various roles including mechanical design, software development, and digital design. From 1991 to 1992, while at Georgia Tech, I worked at the Georgia Tech Research Institute (GTRI) as a graduate research assistant, performing software development on classified government programs.

11. From 1993 to 1995, while working for Harris Corporation, I designed various cellular communication systems for voice, data, and tracking/location. Many of these systems I designed utilized advanced communications technologies, such as those utilized in the then-developing and future telecommunications (such as IS95, W-CDMA, and aspects of LTE).

## DECLARATION OF JAMES PROCTOR

12. From 1995 to 1998, I worked at Spectran in advanced development and technical marketing. At Spectrian, I interfaced with Nortel's and Qualcomm's product management and performed advanced technology development and systems analysis. In this role, I designed IS-95 CDMA and GSM base station power amplifiers and control electronics, and received several patents associated with advanced linearization techniques for the reduction of transmitted distortion. I note that the peak to average ratio of various waveforms was of particular concern in the design of the power amplifiers and associated linearization techniques with the designs I was involved with during my work at Spectrian.

13. From 1998 to 2002, I served as the Director of Strategic and Technical Marketing at Tantivy Communications, a venture capital-funded 3G cellular data and chip set company. At Tantivy, I helped to architect and standardize the I-CDMA Spread Spectrum Systems Air Interface Standard (T1P1.4). I also developed both wireless access terminals and base stations that complied with the standard. The base stations utilized various IP protocols, and interfaced with the wire line network utilizing IP over Ethernet. Additionally, I participated in and provided technical contributions to 3GPP/3GPP2 standardization efforts related to the development of CDMA2000 and 1xEV-DO. This work resulted in me being a named inventor on more than 150 pending or issued U.S. patents or applications.

14. From 2002 to 2007, as co-founder of WiDeFi, Inc., I served in various roles including President, CEO, CTO, and board member. As the CEO, my responsibilities included advanced development of platform technologies. I was a named inventor of wireless technology components, including a frequency translating TDD repeater, a same frequency repeater architecture for TDD/FDD-based systems, and physical layer multi-stream MIMO repeater technology. WiDeFi invented and provided wireless home networking products based on WiFi

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