

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

SAMSUNG ELECTRONICS CO., LTD., and
SAMSUNG ELECTRONICS AMERICA,
INC.,

Plaintiffs,

v.

NVIDIA CORPORATION, VELOCITY
MICRO, INC. D/B/A VELOCITY MICRO,
AND VELOCITY HOLDINGS, LLC

Defendants.

CIVIL ACTION NO. 3:14-cv-00757-REP

**DECLARATION OF VISION WINTER IN SUPPORT OF SAMSUNG'S OPPOSITION
TO DEFENDANTS' MOTION TO TRANSFER, SEVER, AND STAY**

I, Vision Winter, declare as follows:

1. I am a member of the Bar of the State of California and am admitted *Pro Hac Vice* to the United States District Court for the Eastern District of Virginia. I am a partner at the law firm of O'Melveny & Myers, LLP, attorneys of record for Plaintiffs Samsung Electronics Co., Ltd., and Samsung Electronics America, Inc., (collectively "Samsung") in this case. I submit this declaration in support of Samsung's Opposition to Defendants' Motion Transfer, Sever, and Stay. I have personal knowledge of the facts set forth in this declaration and, if called to testify as a witness, could and would do so under oath.

2. Attached hereto as **Exhibit 1** is a true and correct copy of a NVIDIA website posting dated December 23, 2014 titled "NVIDIA Comments on Samsung ITC Lawsuit," which can be accessed at <http://blogs.nvidia.com/blog/2014/12/23/samsung-itc/>.

3. Attached hereto as **Exhibit 2** is a true and correct copy of Order No. 3: Regarding Target Date, Case Management Conference, And Procedural Schedule, before the United States International Trade Commission, Investigation No. 337-TA-932, dated October 30, 2014.

4. Attached hereto as **Exhibit 3** is a true and correct copy of a NVIDIA website posting dated September 4, 2004 titled “NVIDIA launches Patent Suits Focused on Samsung Galaxy Phones, Tablets,” which can be accessed at <http://blogs.nvidia.com/blog/2014/09/04/nvidia-launches-patent-suits/#sthash.85ifjPV2.dpuf>.

5. Attached hereto as **Exhibit 4** is a true and correct copy of a Velocity Micro website posting from 2014 titled “Who we are,” which bears Bates-numbers SAMS-NVD-0002099-2100.

6. Attached hereto as **Exhibit 5** is a true and correct copy of a Velocity Micro website posting titled “Last Chance Sales Event,” which can be accessed at <http://www.velocitymicro.com/lastchance.php>.

7. Attached hereto as **Exhibit 6** is a true and correct copy of a Velocity Micro Press Release, dated June 5, 2006 title Velocity Micro Delivers Mind-blowing Gaming Performance with NVIDIA GeForce 7950 GX2 Graphics Solution,” which can be accessed at http://www.velocitymicro.com/pr_20060506.php.

8. Attached hereto as **Exhibit 7** is a true and correct copy of a Velocity Micro Press Release, dated May 25, 2010 titled “Velocity Micro Announces Raptor X17 Notebook Featuring NVIDIA GeForce GTX 480M Mobile Graphics,” which bears Bates-numbers SAMS-NVD-0002131

9. Attached hereto as **Exhibit 8** is a true and correct copy of a Velocity Micro Press Release, dated May 23, 2013 titled “Velocity Micro Announces Desktop Powered by NVIDIA GeForce GTX 780,” which bears Bates-numbers SAMS-NVD-0002132-33.

10. Attached hereto as **Exhibit 9** is a true and correct copy of a Velocity Micro Press Release, dated February 18, 2014 titled “Velocity Micro Announces the Immediate Availability of NVIDIA GeForce GTX 750, 750Ti, and TITAN Black Graphics,” which bears Bates-numbers SAMS-NVD-0002135-36.

11. Attached hereto as **Exhibit 10** is a true and correct copy of a Velocity Micro Press Release, dated March 9, 2006 titled “With Quad SLI, Velocity Micro Introduces the World’s

Fastest Gaming PC,” which can be accessed at

http://www.velocitymicro.com/pr_20060903.php.

12. Attached hereto as **Exhibit 11** is a true and correct copy of a Velocity Micro Press Release, dated April 16, 2004 titled “Velocity Micro Partners With NVIDIA To Launch GeForce 6 Series of Graphics,” which bears Bates-number SAMS-NVD-0002137.

13. Attached hereto as **Exhibit 12** is a true and correct copy of an NVIDIA website posting, from 2014 titled “The Ultimate Tablet for Gamers,” which bears Bates-numbers SAMS-NVD-0002110-30.

14. Attached hereto as **Exhibit 13** is a true and correct copy of a NVIDIA website posting dated November 18, 2014 titled “NVIDIA, Audi Accelerating Pace of In-Car Technology Seen at LA Auto Show,” <http://blogs.nvidia.com/blog/2014/11/18/nvidia-audi/>.

15. Attached hereto as **Exhibit 14** is a true and correct copy of the U.S. District Courts-Median Time Intervals from Filing to Disposition of Civil Cases, for the period ending March 31, 2014.

16. Attached hereto as **Exhibit 15** is a true and correct copy of the November 3, 1998 Hearing Transcript in *Advanced Refractory Technologies, Inc. v. SP3, Inc.*, in the United States District Court, Eastern District of Virginia, Richmond Division, Case No. 3:98CV616.

17. Upon a reasonable search of available computer databases, and on information and belief, the following nine attorneys were involved in the prosecution of the asserted patents and are currently located in the Eastern District of Virginia or Washington, DC.

Prosecuting Attorney	Patent Prosecuted	Current Business Address
Patrick J. Stanzione	USPN 5,777,854	1725 I Street, N.W., Suite 300 Washington, DC 20006
Brian C. Altmiller	USPN 6,282,938	12040 South Lakes Drive, Suite 101 Reston, VA 20191
Robert E. Bushnell	USPN 6,804,724	2029 K Street, N.W., Suite 600 Washington, DC 2006-1004
Matthew J. Lestina	USPN 6,804,724	2029 K Street, N.W., Suite 600 Washington, DC 2006-1004
John A. Castellano	USPN 6,819,602	11730 Plaza America Drive, Suite 600

		Reston, VA 20190
Michael D. Stein	USPN 7,073,054	1400 I Street, N.W., Suite 300 Washington DC 20005
Gene M. Garner II	USPN 7,073,054	1201 New York Avenue, N.W., Suite 700 Washington DC 20005
J. Randall Beckers	USPN 7,073,054	1201 New York Avenue, N.W., Suite 700 Washington DC 20005
Sang Chul Kwon	USPN 7,073,054	7015 Enterprise Avenue McLean, VA 22101

18. Upon a reasonable search of available computer databases, and on information and belief, the following and five of the eight asserted patents were prosecuted by law firms in Virginia or Washington, D.C.:

- U.S. Patent No. 5,777,854:** Upon a reasonable search of available computer databases, and on information and belief, the law firm of Stanzione & Kim (now Stanzione & Associates, PLLC), of Washington, D.C., was substantively involved in the prosecution of U.S. Patent No. 5,777,854.
- U.S. Patent No. 6,282,938:** Upon a reasonable search of available computer databases, and on information and belief, the law firm of Jones Volentine, LLP, of Reston, Virginia, was substantively involved in the prosecution of U.S. Patent No. 6,282,938.
- U.S. Patent No. 6,804,724:** Upon a reasonable search of available computer databases, and on information and belief, the law firm of R.E. Busnell & Law Firm, of Washington, D.C., was substantively involved in the prosecution of U.S. Patent No. 6,804,724.
- U.S. Patent No. 6,819,602:** Upon a reasonable search of available computer databases, and on information and belief, the law firm of Harness, Dickey & Pierce, PLC, of Reston, Virginia, was substantively involved in the prosecution of U.S. Patent No. 6,819,602.
- U.S. Patent No. 7,073,054:** Upon a reasonable search of available computer databases, and on information and belief, the law firm of Staas & Halsey LLP, of

Washington, D.C., was substantively involved in the prosecution of U.S. Patent No. 7,073,054.

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

Executed January 26, 2015 in Los Angeles, California..

A handwritten signature in black ink, appearing to read "Vision Winter", written over a horizontal line.

Vision Winter

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