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15 Attorneys for Defendant
16 BURST.COM, INC.

17 UNITED STATES DISTRICT COURT
 18 FOR THE NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO)

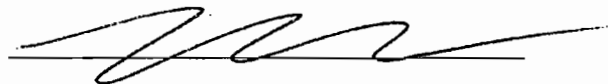
19	APPLE COMPUTER, INC.,	§	Case No. 3:06-CV-00019 MHP
20		§	
21	Plaintiff/Counterdefendant,	§	DECLARATION OF DR. JUSTIN
22		§	DOUGLAS TYGAR IN
23		§	OPPOSITION TO APPLE’S
24		§	SECOND MOTION FOR
25	BURST.COM, INC.,	§	SUMMARY JUDGMENT OF
26		§	INVALIDITY
27	Defendant/Counterclaimant.	§	
		§	Hon. Marilyn Hall Patel
		§	
		§	Complaint: January 4, 2006
		§	Trial: February 26, 2008

1 I, Justin Douglas Tygar, submit this Declaration pursuant to 28 U.S.C. § 1746 and
2 declare as follows:

- 3 1. I am a full Professor at the University of California, Berkeley, where I hold an
4 appointment in two units: the Electrical Engineering and Computer Science
5 Department in the College of Engineering and the School of Information.
6 Defendant Burst.com, Inc. ("Burst") has retained me as an expert in the above-
7 captioned action. I have prepared and submitted a report entitled "Expert Report
8 of Professor Justin Douglas Tygar, Ph.D. regarding Infringement of U.S. Patent
9 Nos. 4,963,995; 5,164,839; 5,995,705; & 5,057,932" dated August 24, 2007. I
10 make this declaration in support of Burst's Opposition to Apple's Second Motion
11 for Summary Judgment of Invalidity.
12
13 2. A true and correct copy of my infringement report is attached as Exhibit 1 to this
14 Declaration.
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16 I declare under penalty of perjury that the foregoing is true and correct.
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18 Executed August 28, 2007



19 Dr. Justin Douglas Tygar
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