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8 Attorneys for Plaintiff
 APPLE COMPUTER, INC.

9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA

12 APPLE COMPUTER, INC.,

13 Plaintiff,

14 v.

15 BURST.COM, INC.,

16 Defendant.

Case No. 3:06-CV-00019 MHP

Hon. Marilyn Hall Patel

Complaint Filed: January 4, 2006

Trial Date: February 26, 2008

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 20 **DECLARATION OF JOEL HALPERN IN SUPPORT OF PLAINTIFF APPLE**
 21 **COMPUTER, INC.' S RESPONSIVE CLAIM CONSTRUCTION BRIEF**
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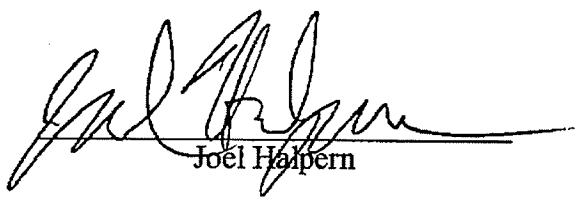
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I, Joel Halpern, declare:

1. I have been retained by counsel for Apple Computer, Inc. ("Apple") in the above-captioned action. I make this declaration in support of Apple's Responsive Claim Construction Brief.

2. I have prepared and submitted a report entitled "Expert Report of Joel Halpern Re: Claim Construction of U.S. Patent Nos. 4,963,995, 5,057,932, 5,164,839, and 5,995,705," dated October 20, 2006. A true and correct copy of that report is attached hereto as Exhibit 1.

I declare under penalty of perjury that the foregoing is true and correct. Executed December 7, 2006, at Leesburg, Virginia.



Joel Halpern