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12 Attorneys for Plaintiff  
 13 STREETSPACE, INC.

14 UNITED STATES DISTRICT COURT  
 15 SOUTHERN DISTRICT OF CALIFORNIA

16 STREETSPACE, INC., a Delaware  
 17 corporation,

18 Plaintiff,

19 vs.

20 GOOGLE INC., a Delaware corporation;  
 21 ADMOB, INC., a Delaware corporation;  
 22 APPLE INC., a California corporation;  
 23 QUATTRO WIRELESS, INC., a Delaware  
 24 corporation; NOKIA CORPORATION, a  
 25 foreign corporation; NOKIA INC., a  
 26 Delaware corporation; NAVTEQ  
 27 CORPORATION, a Delaware corporation;  
 28 MILLENNIAL MEDIA, INC., a Delaware  
 corporation; JUMPTAP, INC., a Delaware  
 corporation; and DOES 1 through 20,  
 inclusive,

Defendants.

CASE NO. 10-CV-1757-LAB-AJB

**DECLARATION OF JAMES V.  
 FAZIO, III IN OPPOSITION TO  
 DEFENDANTS' MOTION TO  
 TRANSFER VENUE**

Date: March 14, 2011  
 Time: 11:15 a.m.  
 Judge: Hon. Larry A. Burns  
 Ctrm: 9

1 I, James V. Fazio, III, declare as follows:

2 1. I am a partner with San Diego IP Law Group LLP, counsel of record for plaintiff  
3 Streetspace, Inc. in the above-captioned matter. I have personal knowledge of the following facts  
4 and, if called upon to do so, I could and would testify competently thereto.

5 2. Attached hereto as Exhibit A is a true and correct copy of the Defendants' Joint  
6 Motion to Transfer Venue Pursuant to 28 U.S.C. § 1404(a) to the U.S. District Court for the  
7 Southern District of California filed in *SPH America, LLC v. Acer, Inc., et al.*, Case No. 1:09-cv-  
8 740-LMB (E.D. Va.) obtained from the Public Access to Court Electronic Records at  
9 [www.pacer.psc.uscourts.gov](http://www.pacer.psc.uscourts.gov).

10 3. Attached hereto as Exhibit B is a true and correct copy of the Declaration of Jari  
11 Niemela, Vice President of AT&T Product Development Line of Nokia Inc., in Support of  
12 Motion to Transfer Venue Pursuant to 28 U.S.C. § 1404(a) by Defendant Nokia Inc. filed in *SPH*  
13 *America, LLC v. Apple, Inc., et al.*, Case No. 1:09-cv-776-LMB (E.D. Va.) obtained from the  
14 Public Access to Court Electronic Records at [www.pacer.psc.uscourts.gov](http://www.pacer.psc.uscourts.gov).

15 4. Attached hereto as Exhibit C is a true and correct copy of a May 28, 2009 article  
16 appearing in xconomy, San Diego.

17 5. Attached hereto as Exhibit D is a true and correct copy of a printout of all federal  
18 cases to which Google, Inc. is a party, which was obtained from the Public Access to Court  
19 Electronic Records database at [www.pacer.psc.uscourts.gov](http://www.pacer.psc.uscourts.gov) and inputting "Google" as the search  
20 term in the "Party Name" field and "All Courts" in the "Region" field, and counting all non-  
21 closed cases.

22 6. Attached hereto as Exhibit E is a true and correct copy of a printout of all patent  
23 cases to which Google, Inc. is a party, which was obtained from the Public Access to Court  
24 Electronic Records database at [www.pacer.psc.uscourts.gov](http://www.pacer.psc.uscourts.gov) and inputting "Google" as the search  
25 term in the "Party Name" field, "All Courts" in the "Region" field, and "830" in the "Nature of  
26 Suit" field, and counting all non-closed cases.

27 7. Attached hereto as Exhibit F is a true and correct copy of a printout of all federal  
28 cases to which Apple, Inc. is a party, which was obtained from the Public Access to Court

1 Electronic Records database at [www.pacer.psc.uscourts.gov](http://www.pacer.psc.uscourts.gov) and inputting “Apple, Inc.” as the  
2 search term in the “Party Name” field and “All Courts” in the “Region” field, and counting all  
3 non-closed cases.

4 8. Attached hereto as Exhibit G is a true and correct copy of a printout of all patent  
5 cases to which Apple, Inc. is a party, which was obtained from the Public Access to Court  
6 Electronic Records database at [www.pacer.psc.uscourts.gov](http://www.pacer.psc.uscourts.gov) and inputting “Apple, Inc.” as the  
7 search term in the “Party Name” field, “All Courts” in the “Region” field, and “830” in the  
8 “Nature of Suit” field, and counting all non-closed cases.

9 9. Attached hereto as Exhibit H is a true and correct listing of the Apple stores  
10 located in San Diego, California using the Apple Retail Store locator on Apple’s website at  
11 [www.apple.com/retail/locator/index/html](http://www.apple.com/retail/locator/index/html).

12 10. Attached hereto as Exhibit I is a true and correct copy of Google’s Phone Gallery  
13 available on its website located at [www.google.com/phone](http://www.google.com/phone), which lists AT&T, Sprint, T-Mobile,  
14 and Verizon among “All Operators.”

15 11. Attached collectively hereto as Exhibit J are true and correct listings of all stores  
16 located in San Diego, California operated by AT&T, Sprint, T-Mobile, and Verizon, which were  
17 obtained using the Store Locator from their respective websites located at  
18 [www.att.com/storelocator.com](http://www.att.com/storelocator.com), <http://sprintstorelocator.com>, <http://locator.t-mobile.com/Locator>,  
19 and <http://www.verizonwireless.com>.

20 12. Attached hereto as Exhibit K are true and correct printouts from Google’s website  
21 located at [www.google.com/intl/kn/jobs/locations/](http://www.google.com/intl/kn/jobs/locations/), indicating that Google has two offices in  
22 Santa Monica and Irvine, California.

23 13. Attached hereto as Exhibit L is a true and correct excerpt from Nokia  
24 Corporation’s Form 20-F filing with the U.S. Securities & Exchange Commission on March 12,  
25 2010.

26 14. Attached hereto as Exhibit M is a true and correct listing of Millennial Media’s  
27 offices obtained from its website at [http://www.millennialmedia.com/about-millennialmedia/fact-](http://www.millennialmedia.com/about-millennialmedia/fact-sheet/)  
28 [sheet/](http://www.millennialmedia.com/about-millennialmedia/fact-sheet/).

1           15. Attached collectively hereto as Exhibit N are true and correct copies of two press  
2 releases issued by Millennial Media on April 16, 2009 and June 18, 2009, which are available in  
3 its Press Room located on its website at <http://www.millennialmedia.com>.

4           16. Attached collectively hereto as Exhibit O are true and correct copies of a  
5 December 15, 2008 Jumptap press release and a listing of Jumptap's Mobile Operators obtained  
6 from its website at <http://www.jumptap.com/partners>.

7           17. Attached hereto as Exhibit P are true and correct excerpts from Jumptap's Events  
8 Calendar available on its website at <http://www.jumptap.com/events>.

9           18. Attached hereto as Exhibit Q is a true and correct excerpt from Google, Inc.'s  
10 2009 Annual Report available on its website at [www.google.com](http://www.google.com).

11           19. Attached hereto as Exhibit R is a true and correct excerpt from Apple, Inc.'s Form  
12 10-K/A filed with the U.S. Securities & Exchange Commission for the fiscal year ended  
13 September 26, 2009.

14           20. Attached hereto as Exhibit S is a true and correct copy of a January 5, 2011 press  
15 release from Millennial Media.

16           21. Attached hereto as Exhibit T is a true and correct copy of a September 27, 2010  
17 article in Business Insider reporting on a telephone conversation with George Bell, Jumptap's  
18 CEO.

19           22. Attached hereto as Exhibit U is a true and correct copy of Table C-5 of the federal  
20 judicial caseload statistics published by the Administrative Office of U.S. Courts for the 12-  
21 month period ended March 31, 2010, available at  
22 [http://www.uscourts.gov/Viewer.aspx?doc=/uscourts/Statistics/FederalJudicialCaseloadStatistics/  
23 2010/tables/C01Mar10.pdf](http://www.uscourts.gov/Viewer.aspx?doc=/uscourts/Statistics/FederalJudicialCaseloadStatistics/2010/tables/C01Mar10.pdf).

24           23. Attached hereto as Exhibit V is a true and correct copy of a printout of all federal  
25 cases to which Nokia Corporation is a party, which was obtained from the Public Access to Court  
26 Electronic Records database at [www.pacer.psc.uscourts.gov](http://www.pacer.psc.uscourts.gov) and inputting "Nokia Corporation"  
27 as the search term in the "Party Name" field and "All Courts" in the "Region" field, and counting  
28 only non-closed cases.

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24. Attached hereto as Exhibit W is a true and correct copy of a printout of all federal cases to which Nokia Inc. is a party, which was obtained from the Public Access to Court Electronic Records database at [www.pacer.psc.uscourts.gov](http://www.pacer.psc.uscourts.gov) and inputting “Nokia Inc.” as the search term in the “Party Name” field and “All Courts” in the “Region” field, and counting only non-closed cases.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 28<sup>th</sup> day of February, 2011 at San Diego, California.

By: /s./James V. Fazio, III  
JAMES V. FAZIO, III