

# **EXHIBIT C**

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA §  
COUNTY OF MONTGOMERY §

To all interested Courts, agencies and other parties:

BEFORE ME, the undersigned authority, on this date personally appeared Daniel M. Moloney, known to me to be a credible person, who stated under oath the following:

1. My name is Daniel M. Moloney I am President + CEO of General Instrument Corporation, a Delaware corporation, hereinafter referred to as "GI," having its principal office and place of business located at 101 Tournament Drive, Horsham, Pennsylvania 19044. I have personal knowledge of the facts and statements contained herein and am duly authorized to make this Affidavit on behalf of GI.

2. GI formerly held an undivided one-half interest in U.S. Patent No. 4,698,672 ("672 Patent"). GI is no longer a co-owner of the '672 Patent. On September 30, 2004, GI assigned, conveyed and released to Compression Labs, Inc., a Delaware corporation ("CLI"), all of its entire right, title and interest in and to '672 Patent, including the right to sue for and receive all past damages for infringement of the '672 Patent, and is no longer a co-owner of the '672 Patent.

3. GI has divested itself of all of its interest in the '672 Patent and disclaims all interest in the outcome of the pending controversies presently pending in the following actions or any actions hereafter filed relating in any respect to the infringement, validity or enforceability of the '672 Patent:

*Compression Labs Inc. v. Dell, Inc., International Business Machines Corp., and Toshiba America, Inc., pending in U.S. District Court for the Eastern District of Texas, Marshall Division*

*Compression Labs Inc. v. Agfa Corporation, Apple Computer Inc., Axis Communications Inc., Canon USA Inc., Concord Camera Corp., Creative Labs Inc., Eastman Kodak Co., Fuji Photo Film USA Inc., Fujitsu Computer Products of America Inc., Gateway Inc., Hewlett-Packard Co., JASC Software, Inc., JVC Americas Corp., Kyocera Wireless Corp., Matsushita Electric Corp. of America, Mitsubishi Digital Electronics America Inc., Oce North America Inc., Onkyo USA Corp., PalmOne Inc., Panasonic Communications Corp. of America, Panasonic Mobile Communications Development Corp. of USA, Ricoh Corp., Riverdeep Inc. d/b/a Broderbund, Savin Corp., Thomson S A, Xerox Corp., Thomson Inc., pending in U.S. District Court for the Eastern District of Texas, Marshall Division*

*Agfa Corp., Dell Inc., Gateway Inc., Hewlett-Packard Co., JVC Americas Corp., Matsushita Electric Corp. of America, Mitsubishi Digital Elecs Am. Inc., Oce North America Inc., PalmOne Inc., Ricoh Corp., Riverdeep Inc., Savin Corp., Thomson Inc., Apple Computer Inc., Axis Comms. Inc., Canon USA Inc., Eastman Kodak Co., Fuji Photo Film USA Inc., Fujitsu Computer Products of America Inc., International Business Machines Corp., JASC Software Inc., Toshiba America Consumer Products, LLC, Xerox Corp. v. Compression Labs Inc., Forgent Networks Inc., General Instrument Corp., pending in U.S. District Court for Delaware*

*Sun Microsystems, Inc. v. Compression Labs, Inc., pending in U.S. District Court for the Northern District of California, San Jose Division*

*Yahoo Inc. v. Compression Labs, Inc., Forgent Networks Inc., General Instruments Corp., pending in U.S. District Court for Delaware*

*Compression Labs, Inc. v. Acer America Corp., Audio Vox Corp., BancTec, Inc., BenQ America Corp., Color Dreams, Inc. d/b/a StarDot Technologies, Google, Inc., ScanSoft, Inc., TiVo Inc., Veo Inc., Yahoo! Inc., Sun Microsystems Inc., pending in U.S. District Court for the Eastern District of Texas, Marshall Division*

*Google Inc. v. Compression Labs Inc., Forgent Networks Inc., General Instruments Corp., pending in U.S. District Court for the Northern District of California, Oakland Division*

*AudioVox Corp., AudioVox Electronics Corp., BancTec Inc., ScanSoft Inc., TiVo Inc. v. Compression Labs Inc., Forgent Networks Inc., General Instrument Corp., pending in U.S. District Court for Delaware*

4. GI's absence from such pending or future litigation relating to the '672 Patent will not impair GI's ability to protect an interest relating to the subject of these pending or such future actions because it has assigned all interests to CLI and disclaims any interest to protect. As a result, there is no risk of any accused infringer being subjected to any action brought by GI under the '672 Patent or being subjected to any risk of incurring double, multiple or otherwise inconsistent obligations.

5. Complete relief can be accorded to the parties involved in the litigation listed in paragraph 3 and/or involved in future litigation involving the '672 Patent without the joinder or continued joinder of GI because GI has divested itself of, and disclaims any and all interest in and to, the '672 Patent and in and to all royalties, damages and claims for damages by reason of past, present or future infringement or other unauthorized use of the '672 Patent.

6. The foregoing statement is submitted under penalty of perjury and I hereby swear that the foregoing is true and correct to the best of my knowledge.

Date: Oct. 8, 2004

Daniel M. Moloney

Daniel M. Moloney  
[Printed Name of Affiant]

SUBSCRIBED AND SWORN TO BEFORE ME on this the 8th day of October, 2004.

Karen L. Degler  
Notary Public

My Commission Expires:

3/5/2005

