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7 Attorneys for Plaintiff GOOGLE INC.

8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 OAKLAND DIVISION

12 GOOGLE INC.,  
 13 Plaintiff,  
 14 v.  
 15 ROCKSTAR CONSORTIUM US LP, and  
 MOBILESTAR TECHNOLOGIES LLC,  
 16 Defendants.  
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CASE NO. 13-cv-5933-CW  
**DECLARATION OF ABEER DUBEY**

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1 I, Abeer Dubey, declare under 28 U.S.C. §1746:

2 1. I am an employee of Google Inc. (“Google”) and I work at Google’s headquarters  
3 in Mountain View, California. I have been a Google employee since 2006.

4 2. I provide this declaration in support of Google’s opposition to Defendants’ motion  
5 to dismiss or transfer this action to the United States District Court for the Eastern District of  
6 Texas. I submit this declaration based upon my knowledge of the corporate structure of Google  
7 and my investigation of the location of witnesses and evidence relevant to Google’s development  
8 of the Android platform.

9 3. The Complaint seeks a declaration that Google’s Android platform and the Nexus  
10 5, Nexus 7, and Nexus 10 devices do not directly or indirectly infringe any claim of United States  
11 Patent Nos. 5,838,551, 6,037,937, 6,128,298, 6,333,973, 6,463,131, 6,765,591, and 6,937,572. I  
12 have made efforts to identify the location of persons with relevant technical knowledge about  
13 these products, as well as the location of persons with relevant business and financial information.  
14 I have also made efforts to identify the location of documents and other evidence relevant to this  
15 action. As discussed below, the Northern District of California is a significantly more convenient  
16 forum than the Eastern District of Texas for most Google witnesses likely to testify in this action,  
17 and all relevant documents and evidence are accessible from Google’s headquarters in the  
18 Northern District.

19 4. Google has been headquartered in the Northern District of California since its  
20 founding in 1998. Since 2003, it has been headquartered in Mountain View, California, in the  
21 Northern District of California.

22 5. Google’s Mountain View headquarters is the strategic center of Google’s business.  
23 Google’s Chief Executive Officer and Executive Chairman are based in Mountain View,  
24 California. Decisions related to Google’s overall business are made in Mountain View,  
25 California, including most significant engineering, sales, and marketing decisions related to  
26 Google’s Android platform.

27 6. Prior to its acquisition by Google in 2005, Android Inc. was headquartered in Palo  
28 Alto, California, in the Northern District of California. Since acquiring Android Inc., Google has

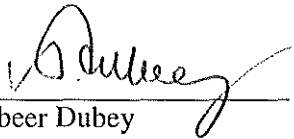
1 principally developed the Android platform at Google's headquarters in Mountain View.  
2 Google's ongoing development efforts, operations, and records regarding Google's Android  
3 platform are also predominantly based in Mountain View. Google engineers with relevant  
4 technical knowledge of the Android platform are also predominantly located in Mountain View, as  
5 are Google employees familiar with the business and financial aspects of the Android platform and  
6 Google's Nexus products.

7 7. In April 2012, Google opened a small office to house temporarily a handful of  
8 employees in Frisco, Texas. None of the employees at this location work on the Android  
9 platform. Google has no other offices or facilities in the Eastern District of Texas. Google does  
10 maintain a small office in Austin, Texas, in the Western District of Texas. The Google employees  
11 in the Austin office are not involved with the development or management of the work on any of  
12 the accused instrumentalities identified in the Complaint, and are instead predominantly involved  
13 with Google's enterprise sales group.

14 8. I have investigated this issue, and am currently aware of no Google employees with  
15 relevant knowledge regarding any of the accused instrumentalities identified in the Complaint  
16 working in Google's facilities in Texas or in the Eastern District of Texas. I am also currently  
17 aware of no Google employees that work on Android in the Eastern District of Texas.

18 9. All or nearly all of the documents related to Google's Android platform are located  
19 in Mountain View, California, or are stored on Google's secure servers, which are accessible and  
20 managed from Mountain View. These documents include technical documents related to  
21 Google's Android platform, as well as documents related to Google's operations, marketing,  
22 financials, and customer-service concerning these products.

23 I declare under penalty of perjury that the foregoing is true and correct. Executed on  
24 February 6, 2014, in Mountain View, California.

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27 Abeer Dubey  
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