

EXHIBIT D

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

ROCKSTAR CONSORTIUM US LP AND
MOBILESTAR TECHNOLOGIES, LLC

Plaintiffs,

v.

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA, INC.,
SAMSUNG TELECOMMUNICATIONS
AMERICA, LLC, GOOGLE INC.,

Defendants.

Civil Action No. 13-cv-0900-JRG

JURY TRIAL DEMANDED



**DECLARATION OF B. J. KANG
IN SUPPORT OF DEFENDANTS' MOTION TO STAY OR, IN THE ALTERNATIVE,
TO TRANSFER TO THE NORTHERN DISTRICT OF CALIFORNIA**

00734370

I, B. J. Kang, hereby declare as follows:

1. I am an employee of Samsung Electronics Co., Ltd. (“SEC”). More specifically, I am a Director of SEC’s Smartphone Product Planning Group and am responsible for various aspects of product planning for SEC’s GSM mobile phones. I am familiar with certain aspects of the work of SEC’s subsidiaries, Samsung Telecommunications America Inc. (“STA”) and Samsung Electronics America, Inc. (“SEA”) discussed herein (SEC, STA, and SEA, hereafter collectively referred to as Samsung). I have personal knowledge of the following facts or access to information and records allowing me to confirm these facts.

2. SEC is a corporation organized and existing under the laws of South Korea. SEC’s principal place of business is at 416 Maetan-3dong, Yeongtong-gu, Suwon-City, Gyeonggi-do 443-742, Korea.

3. It is my understanding that Plaintiffs Rockstar Consortium and MobileStar accuse Samsung of patent infringement based on “certain mobile communication devices having a version (or an adaption thereof) of Android operating system,” including “Samsung’s Galaxy family of smart phones, including the Galaxy S III and Captivate (Galaxy S), and its Galaxy family of tablets, including the Galaxy Tab 8.9.” I will refer to the accused smart phones and tablets as the “accused devices.”

4. SEC manufactures the accused devices outside the United States. No Samsung cell phones or tablets are manufactured in the United States. Neither STA nor SEA manufactures Samsung cell phones or tablets.

5. Samsung does not operate any retail stores in the United States and does not conduct any retail operations in the United States. Samsung does not sell the accused devices directly to any consumer in the United States. Samsung does not ship its phones directly to any individual retail store in the United States. With limited exceptions, Samsung also does not ship

its tablets directly to any individual retail store in the United States. Samsung cell phones and tablets are not available for direct purchase in the United States through Samsung's websites.

6. The vast majority of Samsung's employees are located in Korea.

7. The vast majority of planning, design, and development of the accused devices would be done by SEC engineers in Korea.

8. The vast majority of Samsung's records relating to the design, manufacture, and operation of the accused devices would be located in Korea.

9. Samsung works with defendant Google, which is located in Mountain View, California, on issues related to the accused devices.

10. It is my understanding that the vast majority of the Samsung employees who possess knowledge likely relevant to the present case, including those knowledgeable about Samsung's phones and tablets with the Android Operating System, live and work in South Korea.

I declare under penalty of perjury under the laws of the United States of America that the foregoing facts are true and correct based on my own personal knowledge.

Executed on March 21, 2014, in Suwon, South Korea



B. J. Kang

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record have consented to electronic service and are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on March 21, 2014.

/s/ J. Mark Mann

J. Mark Mann