

**Compression Labs, Incorporated v. Agfa Corporation et al.,
C.A. No. 2:04CV-158 DF**

**Motion to Dismiss Under Fed. R. Civ. P. 12(b)(7), or,
in the Alternative, Motion to Transfer**

**Exhibit 1
Declaration of Joseph M. Casino**

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

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Compression Labs, Incorporated,	:	
	:	
Plaintiff,	:	C.A. No. 2:04CV-158 DF
	:	
v.	:	
	:	
1. Agfa Corporation,	:	
3. Apple Computer, Incorporated,	:	
4. Axis Communications, Incorporated,	:	
5. Canon USA, Incorporated,	:	
6. Concord Camera Corporation,	:	
7. Creative Labs, Incorporated,	:	
8. Eastman Kodak Company,	:	
9. Fuji Photo Film U.S.A.,	:	
10. Fujitsu Computer Products of	:	
America,	:	
11. Gateway, Incorporated,	:	
12. Hewlett-Packard Company,	:	
13. JASC Software,	:	
14. JVC Americas Corporation,	:	
15. Kyocera Wireless	:	
Corporation,	:	
16. Macromedia, Incorporated,	:	
17. Matsushita Electric Corporation of	:	
America,	:	
18. Mitsubishi Digital Electronics	:	
America, Incorporated,	:	
19. Océ North America, Incorporated,	:	
20. Onkyo U.S.A. Corporation,	:	
21. PalmOne, Incorporated,	:	
	:	
24. Ricoh Corporation,	:	
25. Riverdeep, Incorporated (d.b.a.	:	
Broderbund),	:	
26. Savin Corporation,	:	
27. Thomson S.A.,	:	
28. Xerox Corporation,	:	
	:	
Defendants.	:	

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Declaration of Joseph M. Casino, Esq.

I, Joseph M. Casino hereby declare and state as follows:

1. I am an associate of the law firm Amster, Rothstein & Ebenstein, LLP, counsel for Defendants Matsushita Electric Corporation of America (“MECA”); JVC Americas Corporation (“JVC”); Panasonic Communications Corporation of America (“PCCA”); and Panasonic Mobile Communications Development Corporation of USA (“PMCDU”) (collectively, “the MEI Defendants”), and submit this Declaration in support of Defendants’ Motion To Dismiss Under Fed. R. Civ. P. 12(B)(7), Or, In The Alternative, Motion To Transfer. Unless otherwise indicted, I have personal knowledge of all the facts and circumstances set forth herein.

2. Attachment A is a true and correct copy of Defendants’ Complaint, which was filed on July 2, 2004 in the United States District Court for the District of Delaware.

3. Attachment B is a true and correct copy of a Dun & Bradstreet Business Information Report for Forgent Networks, Inc.

4. Attachment C is a true and correct copy of a Dun & Bradstreet Business Information Report for Compression Labs, Inc.

5. Attachment D is a true and correct copy of the 10-K Report dated July 31, 2003 filed by Forgent Networks, Inc., with the United States Securities and Exchange Commission.

6. Attachment E is a true and correct copy of a Verified Statement Claiming Small Entity Status filed with the United States Patent and Trademark Office during the

prosecution of U.S. Application Serial No. 06/923,630, which issued as U.S. Patent No. 4,698,672, which lists Compression Labs, Inc.'s address as being in California.

7. Attachment F is a true and correct copy of a License and Co-Ownership Agreement, dated June 24, 1996, between Compression Labs, Inc. and Charger Industries, Inc.

8. Attachment G is a true and correct copy of a Patent Assignment, dated June 24, 1996, assigning a one-half interest in U.S. Patent No. 4,698,672 to Charger Industries, Inc. This Patent Assignment was recorded with the United States Patent and Trademark Office at reel 8022, frames 0833-0842.

9. Attachment H is a true and correct copy of an Amendment to License and Co-Ownership Agreement, dated July 1, 1997 between Compression Labs, Inc. and Magnitude Compression Systems, Inc.

10. Attachment I is a true and correct copy of an Agreement Relating to License and Co-Ownership Agreement, dated January 25, 2002, between Forgent Networks, Inc. and General Instrument Corporation.

11. Attachment J is a true and correct copy of a Certificate of Amendment of Articles of Incorporation of Charger Industries, dated June 25, 1996. This Certificate of Amendment was recorded with the United States Patent and Trademark Office at reel 8031, frames 0928-0933.

12. Attachment K is a true and correct copy of the Historical Record for General Instrument Corporation, obtained from the Hoover's website.

13. Attachment L is a true and correct copy of the list of patents included in the MPEG-2 Patent Portfolio License as listed on the MPEG LA website as of April 1, 2004.

14. Attachment M is a true and correct copy of a Complaint for Declaratory Judgment of Invalidity and Non-Infringement of Patent, filed by General Instrument Corporation, among other MPEG LA licensors, on February 10, 2003.

15. Attachment N is a true and correct copy of the 2003 Judicial Caseload Profile for each of the United States District Courts for the District of Delaware and Eastern District of Texas.

16. Attachment O is address information obtained from Lexis for Wen-Hsiung Chen and Daniel Klenke.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at New York, New York
July 2, 2004


Joseph M. Casino