

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

**ROCKSTAR CONSORTIUM US LP
AND NETSTAR TECHNOLOGIES
LLC,**

Plaintiff,

v.

GOOGLE INC.,

Defendant.

Civil Action No. 2:13-cv-893

JURY TRIAL DEMANDED

**DECLARATION OF KRISTIN MALONE IN SUPPORT OF PLAINTIFFS’
RESPONSE TO GOOGLE’S MOTION TO TRANSFER**

I, Kristin Malone, declare as follows:

1. I am a member in good standing of the Washington State Bar.
2. I am an attorney at the law firm Susman Godfrey LLP and I am one of the attorneys serving as counsel for Plaintiffs Rockstar Consortium US LP and NetStar Technologies LLC (collectively “Rockstar”) in this action. I submit this declaration in support of Plaintiffs’ Response to Google’s Motion to Transfer, which is filed herewith.
3. Attached hereto as **Exhibit 1** is a true and correct copy of the U.S. Patent and Trademark Office’s Press Release 13-39, dated December 11, 2013, titled “U.S. Secretary of Commerce Penny Pritzker Names Michelle K. Lee as Next Deputy Director of the U.S. Patent and Trademark Office,” which notes that Ms. Lee’s present position is in Alexandria, Virginia.
4. Attached hereto as **Exhibit 2** is a true and correct copy of an internet article published in the Intellectual Asset Management Magazine, Issue 50 November/December 2011,

titled “The players,” which notes on page 38 that Michelle Lee was the head of patent strategy at Google at the time of the Nortel auction.

5. Attached hereto as **Exhibit 3** is a true and correct copy of an internet screen shot; from a Google web page, titled “Inside Google Bangalore.”

6. Attached hereto as **Exhibit 4** is a true and correct copy of an internet article titled “Google’s Colossus Makes Search Real-Time by Dumping MapReduce,” dated September 11, 2010.

7. Attached hereto as **Exhibit 5** is a true and correct copy of an internet screen shot, from a Google web page located at <https://sites.google.com/site/newyorkengineeringopenhouse/speaker-bios-1>, titled “Speaker Bios.”

8. Attached hereto as **Exhibit 6** is a true and correct copy of an internet screen shot, from a Google web page, titled “Frequently asked Questions” regarding Google New York.

9. Attached hereto as **Exhibit 7** is a true and correct copy of an internet screen shot, from a Google web page, titled “Inside Google New York.”

10. Attached hereto as **Exhibit 8** is a true and correct copy of an internet screen shot, from a Google job-postings web page, titled “Operations Engineer.”

11. Attached hereto as **Exhibit 9** is a true and correct copy of an internet screen shot, from a Google web page, titled “Data center locations.”

12. Attached hereto as **Exhibit 10** is a true and correct copy of an AOL press release titled “AOL and Google Renew and Expand Global Partnership,” dated September 2, 2010.

13. Attached hereto as **Exhibit 11** is a true and correct copy of an IAC press release titled “IAC Extends Agreement with Google,” dated April 11, 2011.

14. Attached hereto as **Exhibit 12** is a true and correct copy of an internet screen shot from a Dallas affiliate of CBS containing a set of search results accompanied by Google Ads.

15. Attached hereto as **Exhibit 13** is a true and correct copy of a chart of the Patents-In-Suit prior art references cited, noting the inventors and their locations, as well as the identity and location of assignees.

16. Attached hereto as **Exhibit 14** is a true and correct copy of U.S. Patent 6,119,101, dated September 12, 2000.

17. Attached hereto as **Exhibit 15** is a true and correct copy of a snipped image from the internet showing Douglas Peckover's name and address listed in Dallas, TX, with additional identifying information redacted in the interest of privacy.

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

Signed this 20th day of February, 2014, at Seattle, Washington.


Kristin Malone

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record, who are deemed to have consented to electronic service are being served this 20th day of February, 2014 with a copy of this document via the Court's CM/ECF system per Local Rule CD-5(a)(3).

/s/ Justin A. Nelson