

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

MIRROR WORLDS, LLC,

Plaintiff,

v.

APPLE INC.,

Defendant.

Civil Action No. 6:08-CV-88 LED

JURY TRIAL DEMANDED

APPLE INC.,

Counterclaim Plaintiff,

v.

MIRROR WORLDS LLC,
MIRROR WORLDS TECHNOLOGIES,
INC.,

Counterclaim Defendants.

**DECLARATION OF STEFANI C. SMITH IN SUPPORT OF APPLE INC.'S OPENING
CLAIM CONSTRUCTION BRIEF ON U.S. PATENT NO. 6,613,101**

I, Stefani C. Smith, declare as follows:

1. I am a member of the State Bar of California and an associate of the law firm of Weil, Gotshal & Manges LLP, counsel of record for Apple, Inc. in this case. I have personal knowledge of the facts stated in this Declaration and, if called upon as a witness, could and would testify competently thereto.

2. Attached hereto as **Exhibit A** is a true and correct copy of U.S. Patent No. 6,613,101, entitled "*Method and Apparatus for Organizing Information in a Computer System,*" by Mander et. al.

3. Attached hereto as **Exhibit B** is a true and correct copy of “A ‘*Pile*’ *Metaphor for Supporting Casual Organization of Information*” by Mander et. al, dated May 3-7, 1992.

4. Attached hereto as **Exhibit C** is a true and correct copy of Prosecution History for U.S. Patent No. 6,243,724.

5. Attached hereto as **Exhibit D** is a true and correct copy of pages from scopeware.com bearing numbers MW002336 – MW002369.

6. Attached hereto as **Exhibit E** are screenshots generated at my direction from Scopeware Vision Professional 2.2. These screenshots are true and correct images of what appears on the screen of the computer running Scopeware Vision Professional 2.2. At my direction, the “arrow” cursor that appears on the images was added after the screen capture, because the screen capture program was unable to capture the image of the cursor. The cursor that was added to the images was added in the same place that it was when the screen capture was taken. This was done to ensure that the screenshots were accurate representations of the screen despite the screen capture program's inability to capture the image of the cursor.

7. Attached hereto as **Exhibit F** is a true and correct copy of U.S. Patent No. 5,060,135, entitled “*Apparatus for Manipulating Documents in a Data Processing System Utilizing Reduced Images of Sheets of Information Which Are Moveable,*” by Levine et. al.

8. Attached hereto as **Exhibit G** is a true and correct copy of Prosecution History for U.S. Patent No. 6,613,101.

9. Attached hereto as **Exhibit H** is a true and correct copy of *Graphon Corporation v. Autotrader.com, Inc.*, No. 2-05-CV-530 (TJW), 2007 U.S. Dist. LEXIS 46941 (E.D. Tex. Jun. 28, 2007).

Executed on this 7th day of December at Redwood Shores, California.

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

Dated: December 7, 2009

Respectfully submitted,

/s/ Stefani C. Smith
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