

**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 JEFFREY G. RANDALL IN SUPPORT OF  
APPLE INC.'S MOTION FOR SUMMARY JUDGMENT THAT THE ASSERTED  
CLAIMS OF U.S. PATENT NOS. 6,006,227, 6,638,313, 6,725,427 AND 6,768,999  
ARE INVALID AS ANTICIPATED AND OBVIOUS**

I, Jeffrey G. Randall, hereby declare as follows:

1. I am a partner at the law firm of Paul, Hastings, Janofsky & Walker LLP, counsel for Defendant and Counterclaim Plaintiff Apple Inc. (“Apple”). The facts stated in this Declaration are true and correct of my own personal knowledge, and if called as a witness, I could and would competently testify thereto.

2. Attached hereto as Exhibit 1 is a true and correct copy of U.S. Patent No. 6,006,227.

3. Attached hereto as Exhibit 2 is a true and correct copy of U.S. Patent No. 6,638,313.

4. Attached hereto as Exhibit 3 is a true and correct copy of U.S. Patent No. 6,725,427.

5. Attached hereto as Exhibit 4 is a true and correct copy of U.S. Patent No. 6,768,999.

6. Attached hereto as Exhibit 5 is a true and correct copy of U.S. Patent No. 5,499,330, produced by Apple and bearing production numbers APMW0000705 – APMW0000732.

7. Attached hereto as Exhibit 6 is a true and correct copy of excerpts from the Expert Report of Steven K. Feiner, Ph.D. Re: Invalidity of U.S. Patent No. 6,006,227, U.S. Patent No. 6,638,313, U.S. Patent No. 6,725,427 and U.S. Patent No. 6,768,999, dated May 20, 2010.

8. Attached hereto as Exhibit 7 is a true and correct copy of a video produced by MAYA Design, Inc. and bearing the production number MD001043.

9. Attached hereto as Exhibit 8 is a true and correct copy of Peter Lucas and Lauren Schneider, “Workscope: A Scriptable Document Management Environment,” CHI ’94

(April 24-28,1994), produced by Apple and bearing production numbers APMW0075775 – APMW0075776.

10. Attached hereto as Exhibit 9 is a true and correct copy of Joseph M. Ballay, “Designing Workscape™: An Interdisciplinary Experience,” CHI ’94 (April 24-28,1994), produced by Apple and bearing production numbers APMW0075777 – APMW0075782.

11. Attached hereto as Exhibit 10 is a true and correct copy of U.S. Patent No. 6,243,724, produced by Apple and bearing production numbers APMW0000001 – APMW0000049.

12. Attached hereto as Exhibit 11 is a true and correct copy of excerpts from *Retrospect User’s Guide* (Dantz Development Corp. 1993), produced by Apple and bearing production numbers APMW0076037 – APMW0076263.

13. Attached hereto as Exhibit 12 is a true and correct copy of excerpts from *Retrospect User’s Guide* (Dantz Development Corp. 1995), produced by Apple and bearing production numbers APMW0000367 – APMW0000704.

14. Attached hereto as Exhibit 13 is a true and correct copy of Mirror Worlds’ Second Amended Disclosure of Asserted Claims and Preliminary Infringement Contentions Under Patent Rule 3-1 and Disclosures Under Patent Rule 3-2, served May 19, 2010.

15. Attached hereto as Exhibit 14 is a true and correct copy of an Order by the U.S. Patent Office Granting/Denying Request for *Ex Parte* Reexamination in Reexamination Control No. 90/010,506, U.S. Patent No. 6,006,227.

16. Attached hereto as Exhibit 15 is a true and correct copy of an Order by the U.S. Patent Office Order Granting / Denying Request For *Ex Parte* Reexamination in Reexamination Control No. 90/010,513, U.S. Patent No. 6,638,313.

17. Attached hereto as Exhibit 16 is a true and correct copy of an Order by the U.S. Patent Office Granting/Denying Request for *Inter Partes* Reexamination in Reexamination Control No. 95/001,172, U.S. Patent No. 6,725,427.

18. Attached hereto as Exhibit 17 is a true and correct copy of an Order by the U.S. Patent Office Granting/Denying Request for *Inter Partes* Reexamination in Reexamination Control No. 95/001,171, U.S. Patent No. 6,768,999.

19. Attached hereto as Exhibit 18 is a true and correct copy of an Office Action by the U.S. Patent Office in *Ex Parte* Reexamination in Reexamination Control No. 90/010,506, U.S. Patent No. 6,006,227.

20. Attached hereto as Exhibit 19 is a true and correct copy of an Office Action by the U.S. Patent Office in *Ex Parte* Reexamination in Reexamination Control Control No. 90/010,513, U.S. Patent No. 6,638,313.

21. Attached hereto as Exhibit 20 is a true and correct copy of an Office Action by the U.S. Patent Office in *Inter Partes* Reexamination in Reexamination Control No. 95/001,172, U.S. Patent No. 6,725,427.

22. Attached hereto as Exhibit 21 is a true and correct copy of an Office Action by the U.S. Patent Office in *Inter Partes* Reexamination in Reexamination Control No. 95/001,171, U.S. Patent No. 6,768,999.

23. Attached hereto as Exhibit 22 is a true and correct copy of Declaration of John Levy, Ph.D. Regarding Claim Construction, dated November 27, 2009.

24. Attached hereto as Exhibit 23 is a true and correct copy of Expert Rebuttal Report of John Levy, Ph.D. Regarding Validity, dated June 4, 2010.

25. Attached hereto as Exhibit 24 is a true and correct copy of Preliminary Claim Construction Order, filed February 16, 2010 [Docket No. 178].

26. Attached hereto as Exhibit 25 is a chart prepared at my direction entitled “Invalidity of U.S. Pat. No. 6,006,227 as Disclosed by Lucas Workscape.”

27. Attached hereto as Exhibit 26 is a chart prepared at my direction entitled “Invalidity of U.S. Pat. No. 6,638,313 as Disclosed by Lucas Workscape.”

28. Attached hereto as Exhibit 27 is a chart prepared at my direction entitled “Invalidity of U.S. Pat. No. 6,725,427 as Disclosed by Lucas Workscape.”

29. Attached hereto as Exhibit 28 is a chart prepared at my direction entitled “Invalidity of U.S. Pat. No. 6,768,999 as Disclosed by Lucas Workscape.”

30. Attached hereto as Exhibit 29 is a true and correct copy of excerpts from the transcript of the deposition of Peter Lucas, Ph.D. taken on June 16, 2010.

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

Dated this 1st day of July, 2010.

/s/ Jeffrey G. Randall  
Jeffrey G. Randall