

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

**BEDROCK COMPUTER
TECHNOLOGIES LLC,**

Plaintiff,

v.

**SOFTLAYER TECHNOLOGIES, INC.,
et al.**

Defendants.

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CASE NO. 6:09-cv-269-LED

Jury Trial Demanded

**DECLARATION OF J. AUSTIN CURRY IN SUPPORT OF
BEDROCK'S OPENING CLAIM CONSTRUCTION BRIEF**

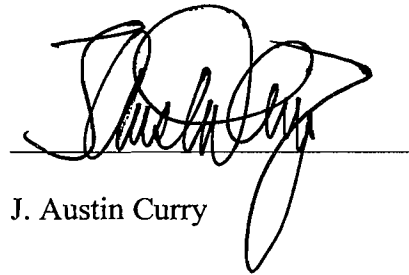
I, J. Austin Curry, declare as follows:

1. I am an attorney with the law firm of McKool Smith P.C., counsel of record for Plaintiff in the above-captioned matter. I submit this declaration based on personal knowledge and following a reasonable investigation. If called upon as a witness, I could and would competently testify to the truth of each statement herein.
2. Attached hereto as Exhibit A.1 is a true and correct copy of the patent in suit, U.S. Patent No. 5,893,120.
3. Attached hereto as Exhibit A.2 is a true and correct copy of selected, Bates-labeled excerpts from the file history of the '120 patent.
4. Attached hereto as Exhibit A.3 is a true and correct copy of selected excerpts from the *New IEEE Standard Dictionary of Electrical and Electronic Terms* (5th ed. 1990).
5. Attached hereto as Exhibit A.4 is a true and correct copy of selected excerpts from Microsoft Press's *Computer Dictionary* (3rd ed. 1997).

6. Attached hereto as Exhibit A.5 is a true and correct copy of U.S. Patent No. 5,287,499.
7. Attached hereto as Exhibit A.6 is a true and correct copy of an email chain between counsel for the Defendants and me.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA AND THE STATE OF TEXAS THAT THE FOREGOING IS TRUE AND CORRECT.

Dated: August 27, 2010



J. Austin Curry