

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

INNOVATIVE SONIC LIMITED,

Plaintiff,

v.

RESEARCH IN MOTION LTD. and
RESEARCH IN MOTION
CORPORATION,

Defendants.

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Civil Action No. 6:10-CV-455

Jury Trial Demanded

**DECLARATION OF BARBARA A. PARVIS IN SUPPORT OF DEFENDANTS'
MOTION TO TRANSFER VENUE PURSUANT TO 28 U.S.C. § 1404(a)**

I, Barbara A. Parvis, hereby declare as follows:

1. I am a licensed attorney and an employee of Defendant Research In Motion Corporation ("RIM Corporation," referred to collectively with Research In Motion Limited as "RIM"). I joined RIM Corporation in 2005, and am currently Senior Director of Patent Litigation. In that position, I am responsible for supervising and overseeing RIM's intellectual property litigation. My office is located at RIM's United States headquarters in Irving, Texas. I submit this declaration upon personal knowledge or information and belief.

2. RIM Corporation is a Delaware corporation with its principal place of business (its United States corporate headquarters) at 122 West John Carpenter Parkway, Suite 430, Irving, Texas. Irving, Texas is within the Northern District of Texas, just miles from the Dallas Division courthouse.

3. Substantially all of RIM's U.S.-based licensing personnel, and their documents, are located at RIM's Irving headquarters, and at RIM's facilities located at 5000 Riverside Drive

in Irving. These personnel, including at least Mr. Randall W. Mishler and Ms. Hsin-Wei Luang, likely possess certain discoverable information not protected by privilege regarding RIM's claims and/or defenses.

4. The one and only in-person licensing negotiation between RIM and Innovative Sonic Ltd. ("Innovative Sonic") occurred at RIM's U.S. headquarters in Irving, in the Northern District of Texas. None of the negotiations between RIM and Innovative Sonic took place in the Eastern District of Texas.

5. Mr. Mishler and Ms. Luang were RIM's representatives at the in-person licensing negotiation with Innovative Sonic. At the time of the negotiation both Mr. Mishler and Ms. Luang were attorneys with RIM's Global Department of Licensing and Standards.

6. Mr. Mishler's title is Senior Director of Licensing for RIM Corporation. He resides in Dallas, Texas.

7. Ms. Luang is still an attorney with RIM, but no longer works in the licensing group. Her residence in Frisco, Texas, is over 100 miles from the Tyler courthouse.

8. RIM Corporation has research and development, licensing and standards, testing, sales and marketing, customer service, and other vital operations in Irving, which (along with a RIM Limited subsidiary, Alt-N, in nearby Grapevine) houses approximately 800 employees as of March 2011, including over 320 employees working in research and development, and many of RIM's licensing and standards personnel. RIM's licensing and standards personnel in Irving includes individuals with knowledge of RIM's activities and representation in the 3GPP standard setting organization.

9. RIM Corporation currently occupies more than 240,000 square feet of usable office space within the boundaries of the Northern District of Texas. This office space is either

leased or owned by RIM Corporation or wholly-owned subsidiaries of RIM. By the end of 2011, RIM Corporation plans on occupying approximately an additional 60,000 square feet of usable office space within the boundaries of the Northern District of Texas.

10. Certain RIM devices are configured, packaged, and distributed from a facility in Farmers Branch, Texas (Dallas County)—also in the Northern District of Texas.

11. Litigating the parties' claims in Dallas will be more convenient and less expensive for RIM and its employees than to continue this lawsuit in the Tyler Division of the Eastern District of Texas. It will be much more convenient for RIM employees based in Irving to attend trial in Dallas rather than in Tyler. If RIM employees based in Irving must attend a trial in Tyler, they will likely need to make overnight travel arrangements and incur expenses for accommodations, meals, and travel.

12. Employees at RIM's worldwide headquarters in Waterloo, Ontario, Canada can easily be made available for trial in the Northern District of Texas. RIM's Irving facilities can provide temporary office space for visiting employees as well as access to the RIM internal computer network and other necessary resources such as assistants, conference rooms, and videoconferencing to allow these employees to continue their work during trial.

13. On or about May 30, 2008, RIM Corporation acquired a building in Plano, Texas. The building is an empty warehouse with a dirt floor that is monitored by an on-premise security guard. The building is currently for sale. RIM maintains no operations, employees, or documents there. Moreover, RIM has no plans to occupy it before reselling the property.

14. Other than the Plano building referenced above, RIM does not own or lease any offices within the boundaries of the Eastern District of Texas.

15. RIM is not aware of any documents or other physical evidence generated or stored in the ordinary course of business that are relevant to this case and located in the Eastern District of Texas.

16. None of the accused products have any special relationship to the Eastern District of Texas, and no development of the accused products took place in that district.

I declare under the penalty of perjury that the foregoing is true and accurate to the best of my knowledge.

Dated this 11 th day of March, 2011, at Irving, Texas.

