

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION

UNILOC USA, INC. and

UNILOC SINGAPORE PRIVATE LIMITED,

Plaintiffs,

v.

NATIONAL INSTRUMENTS CORP., *et al.*,

Defendants.

Civ. Action No.: 6:10-cv-00472 LED

JURY TRIAL DEMANDED

DECLARATION OF DEAN G. BOSTOCK

I, Dean G. Bostock, hereby depose and state as follows:

1. I am a Member of the firm Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, P.C. (“Mintz Levin”). I submit this declaration in support of Plaintiffs’ Opposition to Defendants’ Motion to Transfer Venue Pursuant to 28 U.S.C. §1404 herein.
2. I am over the age of 18 and make this declaration of my own knowledge. I could and would competently testify as to the matters set forth below if called upon to do so.
3. Uniloc filed suit against Microsoft Corporation in Rhode Island in September 2003.
4. The three defendants named in *Uniloc v. Microsoft* were located in Rhode Island, Washington and Illinois.
5. Fifteen of the twenty trial witnesses in the *Uniloc v. Microsoft* case testified regarding Microsoft and its products. Two of the remaining witnesses were Uniloc’s technical expert who testified that Microsoft’s accused products infringed and Uniloc’s damages expert who calculated damages based upon sales of such products.

6. Of the approximately six hundred ninety thousand pages of documents produced in the *Uniloc v. Microsoft* case, approximately eighty-seven percent were produced by Microsoft.

8. According to the 2009 PricewaterhouseCoopers 2009 Patent Litigation Study, this District ranked fifth out of the top twenty most active patent districts with a median time to trial in patent cases of 1.79 years.

9. As of April 4, 2011, this Court was setting Markman hearings in the February - April 2012 timeframe (10-12 months) and trial dates in the January-March 2013 timeframe (21-23 months).

10. Uniloc reviewed the patent cases filed in Rhode Island since 2003. The median time to trial was 51 months.

Signed under the pains and penalties of perjury on April 11, 2011.



Dean G. Bostock