

EXHIBIT 5

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

UNILOC USA, INC., ET AL.

Plaintiff,

v.

**NATIONAL INSTRUMENTS CORP., ET
AL.,**

Defendants.

Civil Action No. 6:10-cv-472-LED

JURY TRIAL DEMANDED

**DECLARATION OF JOHN LAMOUNTAIN IN SUPPORT OF
PINNACLE SYSTEMS, INC.'S MOTION TO TRANSFER**

I, John LaMountain, under penalty, declare as follows:


1. I am the Vice President and Treasurer of Avid Technology, Inc. (“Avid”). Pinnacle Systems, Inc. (“Pinnacle”) is a wholly owned subsidiary of Avid. I submit this Declaration in support of defendants’ Motion to Transfer Venue Under Rule 28 U.S.C. § 1404(a). I have personal knowledge of the facts set forth in this Declaration based on a review of Avid and Pinnacle corporate records unless otherwise stated.
2. Pinnacle is a company organized and existing under the laws of California with its principal place of business located in Mountain View, California.
3. I am informed that the Plaintiffs Uniloc USA, Inc. and Uniloc Singapore Private Limited (collectively, “Uniloc”) allege that Pinnacle has directly and/or indirectly infringed U.S. Patent No. 5,490,216 “by, among other things, making, using, offering for sale, selling and/or importing a system, device and/or method for reducing software piracy, reducing casual copying and/or reducing the unauthorized use of software, including without limitation Pinnacle’s Unlock

product activation system and process that permits customers to activate and/or register software such as the Pinnacle Studio™ products.”

4. Pinnacle offered for sale and sold its products in Rhode Island before Uniloc filed its complaint in this action on September 14, 2010.

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

Dated: April 25, 2011



John LaMountain