

# Exhibit 13

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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH

<p>ISYS TECHNOLOGIES, INC., a Nevada Corporation,  Plaintiff,  vs.  GOOGLE, INC., a Delaware Corporation; SAMSUNG ELECTRONICS USA, INC., a Delaware Corporation; ACER AMERICA CORP., a California Corporation; AMAZON.COM, INC., a Delaware Corporation; and BEST BUY CO., INC., a Minnesota Corporation;  Defendant.</p>	<p>Civil Action No. 2:11-CV-507 CW  Judge Clark Waddoups  <b>DECLARATION OF JASON SULLIVAN IN SUPPORT OF ISYS' MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION</b></p>
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I, Jason Sullivan am the President of ISYS Technologies, Inc. and its subsidiary Xi3 Corporation and I declare under penalty of perjury that the statements made herein are true and correct and are based on my own personal knowledge:

1. In or about late 1999, I invented a new computing system and methods for manufacturing the computer systems which have been named Xi3® Technology (“Xi3 Technology”).

2. Some of the features of the Xi3 Technology include closely-integrated circuitry in a smaller dimensional space, a computing design that can be used in many computing applications, fewer raw materials and manufacturing processes, cost savings due to the uniformity and its modular functionality permitting components to be readily added or changed as desired.

3. Due to its modular design, the Xi3 computers can be readily configured to run a number of operating systems, including Microsoft- or Linux-based operating systems.

4. While including the functionality of standard computers and being able to be used for all types of computing environments, some of the uniqueness of the Xi3 Technology is its compact size of a 3½-inch cube, its durability, its light weight, its vertical applications and its ability to cluster and scale for larger processing applications.

5. In the Fall of 2009, ISYS began promoting its Modular Computer as an Xi3 product including the brand name CHROMIUMPC.

6. Since 2009, ISYS has continuously promoted its new computers under the CHROMIUMPC brand at trade shows.

7. Since 2009, ISYS has continuously promoted its new computers under the CHROMIUMPC brand in discussions with customers in different parts of the United States.

8. Since 2009, ISYS has continuously promoted its new computers under the CHROMIUMPC brand in electronic communications about its business including marketing and sales emails to potential customers, Internet blogs, Twitter, Facebook, and its own [www.chromiumpc.com](http://www.chromiumpc.com) website, beginning in November 2009.

9. ISYS is senior user and the owner of the mark CHROMIUMPC for use in connection with computer hardware. On June 21, 2010, ISYS filed United States Trademark Application Serial No. 85/067977 for CHROMIUMPC for use in connection with computer hardware including computer carrying cases, computer chassis, computer expansion boards, computer interface boards, computer peripherals and computers (“CHROMIUMPC Application”).

10. In November 2010, the Consumer Electronics Association, owner of the International Consumer Electronics Show, announced that ISYS' Xi3 Modular Computer was to be recognized as a 2011 International CES Innovations Design and Engineering Award winner in the computer hardware category.

11. Images of the approximately 4" x 3½" Xi3 Modular Computer include:



12. The Xi3 Modular Computer and other Xi3 Technology products thereafter received rave reviews at the January 6-9, 2011 International Consumer Electronics Show in Las Vegas, Nevada ("CES 2011").

13. A Business Wire New Release covering the CES 2011 show characterized the impact of the Xi3 Technology as "Xi3 Corporation Rocks CES 2011."

14. A version of the Xi3 Modular computer is being branded and promoted as the CHROMIUMPC computer.

15. One example of the Xi3 CHROMIUMPC computer is depicted as follows:



16. In 2008, Google initiated an open-source software development project named Chromium. Google invited independent third parties to participate.

17. This Chromium software initiative was for software development by third parties for an internet operating system.

18. During the second extension period, on May 11, 2011 Google announced a new hardware product bearing the brand CHROMEBOOK.

19. A term "PC" is a commonly used term for hardware products.

20. The term "book" is a commonly used term for hardware products.

21. The term "box" is a commonly used term for hardware products.

22. The terms "pc," "book" and "box" equally connote hardware products for personal computers in the computer industry.

23. Google's conduct has caused and is causing immediate and irreparable harm to Plaintiff and unless enjoined will continue to cause Plaintiff immediate and irreparable harm.

DATED this 6<sup>th</sup> day of June, 2011.

By: s/Jason Sullivan  
Jason Sullivan  
President ISYS Technology and Xi3 Corp.