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 PATRIOT SCIENTIFIC CORPORATION

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 17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA
 19 SAN JOSE DIVISION

20 HTC CORPORATION and HTC)
 AMERICA, INC.,)
 21 Plaintiffs,)
 22 v.)
 23 TECHNOLOGY PROPERTIES LIMITED,)
 PATRIOT SCIENTIFIC CORPORATION,)
 24 and ALLIACENSE LIMITED,)
 25 Defendants.)

Case No. 5:08-cv-00882 PSG
**DECLARATION OF PHILIP W.
 MARSH IN SUPPORT OF
 DEFENDANTS' COMBINED
 OPPOSITIONS TO NON-PARTY
 TEXAS INSTRUMENTS' MOTIONS TO
 QUASH TRIAL SUBPOENA**
 Judge: Hon. Paul S. Grewal
 Date: September 20, 2013
 Time: 10:00 a.m. (Special Set)
 Courtroom: 5, Fourth Floor

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1 I, Philip W. Marsh, declare as follows:

2 1. I am an attorney licensed to practice law in the State of California and am partner
3 with the firm Agility IP Law, LLP, counsel for Defendants Technology Properties Limited and
4 Alliacense Limited in the above-captioned case. I have personal knowledge of the facts stated in
5 this declaration and, if sworn as a witness, could and would competently testify as to the matters
6 set forth herein.

7 2. As of the end of January, 2013, based on representations by third party Texas
8 Instruments (“TI”) that it had produced all responsive documents it was able to locate, and that it
9 was unable to locate any current or former employees with knowledge regarding the topics
10 identified in TPL’s subpoenas dated November 1, 2012 and January 4, 2013 to provide deposition
11 testimony, Complainants believed that TI had complied with the subpoenas served by
12 Complainants to the extent it was able.

13 3. Following the close of fact discovery in both the ITC and district court actions,
14 Defendants independently discovered in March 2013 that current TI employee, Baher Haroun, was
15 involved in the development of TI’s OMAP processor.

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17 I certify under penalty of perjury under the laws of the United States of America that the
18 foregoing is true and correct. Executed on September 17, 2013 in Menlo Park, California.

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20 /s/ Philip W. Marsh
Philip W. Marsh

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