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8 Attorneys for Secured Creditor: Swamy Venkidu

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UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re:  
TECHNOLOGY PROPERTIES LIMITED,  
LLC,  
Debtor.

Case No.: 13-51589 SLJ  
Chapter 11  
Date: February 26, 2014  
Time: 2:00 pm

**VENKIDU'S OPPOSITION TO OFFICIAL UNSECURED CREDITOR'S  
COMMITTEE MOTION FOR ORDER GRANTING LEAVE, STANDING AND  
AUTHORITY TO INVESTIGATE, COMMENCE, PROSECUTE, AND SETTLE  
ACTIONS OF THE ESTATE**

Secured Creditor, Swamy Venkidu ("Venkidu"), as shareholder agent for a group of  
shareholders, files this statement in response to the Unsecured Creditor Committee's  
("Committee") Motion for Order Granting Leave, Standing and Authority to Investigate,  
Commence, Prosecute, and Settle Actions of the Estate. Venkidu submits that the Relief  
Request in the motion is premature, could lead to disclosure of proprietary information of the  
Venkidu group and the pursuit of such relief will burden the estate with additional expenses for  
fees that will be incurred by Debtor and Committee counsel. Additional fees will also be  
incurred by professional retained by the Debtor or the Committee Counsel to respond to the  
request and/or to investigate and review documents received from Debtor.

1 Venkidu opposes the motion on the following grounds.

- 2 1. Chapter 11 Disclosure Statements and Plans have been filed by the Technology  
3 Properties, Limited (“TPL”) and the Committee. Ballots and Confirmation Hearings on  
4 these Plans are expected within the next 45 to 90 days. The motion is premature at this  
5 time as the Confirmation of the plan may render the relief sought moot.
- 6 2. The Committee has already requested an Order of Examination of the Debtor and  
7 Alliacense; the results of this examination should provide evidence as to any  
8 wrongdoings by the Debtor or its officer. If the result of these examinations discloses  
9 wrongdoing by Debtor’s officer, the Committee can then make an appropriate motion  
10 seeking further powers.
- 11 3. Venkidu is concerned about the costs of this reorganization and the additional burden  
12 on the estate of the costs of the investigation. The Committee should provide an  
13 estimate as to what it such an expansive investigation will cost the estate and the benefit  
14 it expects to obtain from the investigation.
- 15 4. Fujitsu and several other licensees have filed motions to appoint a Licensee Defender  
16 Committee, an appointment which will further complicate this case and burden it with  
17 additional professional fees.
- 18 5. The Venkidu group is especially concerned about the broad investigative powers sought  
19 by the Committee. The documents held by TPL contain proprietary patent and  
20 technology information that preserves the integrity of TPL inventions. The information  
21 includes the worksheets and research findings (“Research”) that inventors use to patent  
22 their invention. Research documents are held in the strictest of confidence by the  
23 inventor and the company the inventor works for and allowing a third party unfettered  
24  
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1 access to privileged and confidential documents would jeopardize the secrecy of these  
2 documents. TPL is in the business of licensing technology and can maximize the value  
3 of such licenses only if it controls what access is given to the licensee.

4 6. The power sort by the Committee would substitute the Committee as a defacto  
5 Chapter 11 trustee. The Court has previously continued the issue of the appointment of a  
6 Chapter 11 trustee as premature and ought to do the same with this application.

7 Wherefore, Venkidu requests that the Court deny the Motion without prejudice to renewing  
8 it later.

9  
10 Respectfully Submitted,

11  
12 Dated: February 12, 2014

/s/ Javed I. Ellahie  
Javed I. Ellahie  
Attorney for Swamy Venkidu

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**DECLARATION OF SWAMY VENKIDU IN SUPPORT OF OPPOSITION TO  
OFFICIAL UNSECURED CREDITOR'S COMMITTEE MOTION FOR ORDER  
GRANTING LEAVE, STANDING AND AUTHORITY TO INVESTIGATE,  
COMMENCE, PROSECUTE, AND SETTLE ACTIONS OF THE ESTATE**

I, Arockiyaswamy Venkidu aka Swamy Venkidu, know the following matters to be true  
of my own, personal knowledge and, if called as a witness, could and would testify  
competently thereto:

1. I represent the former shareholders of OnSpec Electronic, Inc., who hold a security interest in the CORE Flash Portfolio which is an asset of the Debtor.
2. I have reviewed the Motion filed by the Unsecured Creditor Committee's ("Committee") for Order Granting Leave, Standing and Authority to Investigate, Commence, Prosecute, and Settle Actions of the Estate and submit that the Relief Request in the motion is premature, could lead to disclosure of proprietary information

1 of the Venkidu group and the pursuit of such relief will burden the estate with  
2 additional expenses for fees that will be incurred by Debtor and Committee counsel.  
3 Additional fees will also be incurred by professional retained by the Debtor or the  
4 Committee Counsel to respond to the request and/or to investigate and review  
5 documents received from Debtor.

6  
7 3. The Venkidu group is especially concerned about the broad investigative  
8 powers sought by the Committee. The documents held by TPL contain  
9 proprietary patent and technology information that preserve the integrity of  
10 TPL inventions. The information includes the worksheets and research  
11 findings (“Research”) that inventors use to patent their invention. Research  
12 documents are held in the strictest of confidence by the inventor and the  
13 company the inventor works for and allowing a third party unfettered  
14 access to privileged and confidential documents would jeopardize the  
15 secrecy of these documents. TPL is in the business of licensing technology  
16 and can maximize the value of such licenses only if it controls what access is  
17 given to the licensee. I am concerned that OnSpec Core Flash research  
18 material could become public and result in a diminution of the value of this  
19 portfolio.  
20

21 I declare under penalty of perjury of the laws of the United States that the foregoing is true and  
22 correct and this declaration was executed at San Jose, California on the date set forth below.  
23

24 Dated: February 12, 2014

/s/ Arockiyaswamy Venkidu  
Arockiyaswamy Venkidu

1 JAVED I. ELLAHIE [State Bar No. 63340]  
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Case No.: 13-51589 SLJ  
Chapter 11  
Date: February 26, 2014  
Time: 2:00 pm

I, the undersigned, declare that I am a citizen/permanent resident of the United States over the age of 18 years, employed in the County of Santa Clara, and not a party to the within action. My business address is 12 South First Street, Suite 600, San Jose, CA 95113. On the date set forth below, I served the within:

**VENKIDU'S OPPOSITION TO OFFICIAL UNSECURED CREDITOR'S COMMITTEE MOTION FOR ORDER GRANTING LEAVE, STANDING AND AUTHORITY TO INVESTIGATE, COMMENCE, PROSECUTE, AND SETTLE ACTIONS OF THE ESTATE**

**DECLARATION OF SWAMY VENKIDU IN SUPPORT OF OPPOSITION TO OFFICIAL UNSECURED CREDITOR'S COMMITTEE MOTION FOR ORDER GRANTING LEAVE, STANDING AND AUTHORITY TO INVESTIGATE, COMMENCE, PROSECUTE, AND SETTLE ACTIONS OF THE ESTATE**

through the courts Electronic Filing System ("ECF") to:

Heinz Binder on behalf of Debtor Technology Properties Limited LLC  
heinz@bindermalter.com

Brett Bissett on behalf of Creditor Acer Inc., Acer America Corporation, and Gateway, Inc.

1 brett.bissett@klgates.com, klgatesbankruptcy@klgates.com  
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6 Robert L. Eisenbach, III on behalf of Interested Party HTC America, Inc.  
7 reisenbach@cooley.com  
8 Robert L. Eisenbach, III on behalf of Interested Party HTC Corporation  
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10 Javed I. Ellahie on behalf of Requestor Swamy Venkidu  
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12 Robert A. Franklin on behalf of Creditor Committee Official Committee Of  
13 Unsecured Creditors  
14 Franklin.Robert@Dorsey.com, bobf\_94303@yahoo.com  
15 Robert G. Harris on behalf of Debtor Technology Properties Limited LLC  
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17 Christopher H. Hart on behalf of Creditor Cupertino City Center Buildings  
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1 John Walshe Murray on behalf of Creditor Committee Official Committee Of  
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6 Ryan Penhallegon on behalf of Debtor Technology Properties Limited LLC  
7 ryan@bindermalter.com

8 David B. Rao on behalf of Debtor Technology Properties Limited LLC  
9 David@bindermalter.com

10 Roya Shakoori on behalf of Debtor Technology Properties Limited LLC  
11 roya@bindermalter.com

12 Wendy W. Smith on behalf of Debtor Technology Properties Limited LLC  
13 Wendy@bindermalter.com

14 I declare, under penalty of perjury, that the foregoing is true and correct.

15 Executed on the date set forth below at San Jose, California.

16 Dated: February 12, 2014

17 /s/ Javed Ellahie  
18 Javed Ellahie