

# **EXHIBIT 1**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**LODSYS, LLC,**

**Plaintiff,**

**v.**

**BROTHER INTERNATIONAL  
CORPORATION, *et al.*,**

**Defendants.**

C.A. No. 2:11-CV-90

**JURY TRIAL DEMANDED**

**DECLARATION OF JOHN LANDRY  
IN SUPPORT OF HEWLETT-PACKARD COMPANY'S  
MOTION TO DISMISS OR, IN THE ALTERNATIVE,  
MOTION TO SEVER AND TRANSFER VENUE**

I, John Landry, declare as follows:

1. I have personal knowledge of the facts contained in this declaration, and could and would testify competently to these facts if called upon to do so.
2. I have been employed by Hewlett-Packard for approximately 23 years. My current title is Distinguished Technologist. In my role as Distinguished Technologist, I am the lead architect for HP Support Assistant.
3. HP Support Assistant is a software application used with HP personal computers that allows our customers access to software updates and product support from HP. As the lead architect for HP Support Assistant, I am responsible for technical direction, specifications, intellectual property, and HP and industry standards for the Support Assistant software application.

4. The HP Support Assistant software application is developed in several parts of the world, but the primary leadership and most of the key managers involved in the development and operation of HP Support Assistant (including me) work at the HP Houston campus. The HP Houston campus is an HP Regional Sales Office located at 20555 State Highway 249 in Houston. In total, approximately 8,000 HP employees work in the Houston facility.

5. The key managers and team members for the HP Support Assistant software application include the following HP employees. Karen Trapani manages the Support Assistant business team, which provides requirements for HP Support Assistant, oversees regional deployment and is responsible for funding and obtaining information technology. Eric Gagneraud manages the primary development team, which defines the roadmap for Support Assistant based on input from the business and marketing teams and delivers Support Assistant to the Notebook and Desktop development teams for integration into products. Tim Arn manages another Support Assistant development team, which is responsible for diagnostic resources integrated into Support Assistant. Rubin Gonzalez manages the North American category support team, which provides requirements to the development team and assists with deployment through training and documentation. Eric Owhadi is the lead architect for the HP Support Assistant "cloud" and is responsible for data synchronization and software update delivery. The primary Support Assistant leadership team oversees and manages HP Support Assistant business and development. The key HP personnel on the leadership team include Cindy McGlamery, who is the Vice President of Notebook Total Customer Experience and Quality, and Antonio Neri, who is the Vice President of the PSG Total Care Services Organization. Several of the key managers above, including myself, report to one or the other of these Vice Presidents. Each of the HP employees mentioned above work in Houston.

6. The documentation related to the development, operation and support of HP Support Assistant exists in electronic form, and is stored and maintained on servers located at our Houston Data Center. The information contained on these servers also includes data collected from HP Support Assistant users.

7. There are a number of other HP employees responsible for supporting HP Support Assistant who work in other HP facilities. These employees include an IT manager and two employees responsible for worldwide marketing for Support Assistant. These three employees work in Cupertino, California. The IT manager for the Support Assistant cloud works in France. Each of these HP employees interfaces with the Support Assistant teams in Houston.

8. In addition to HP Support Assistant, I understand that the plaintiff has accused "computer server(s) to collect data" of infringing one of its patents. HP uses computer servers to collect data all over the world, including many such servers in Houston.

I declare under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Dated: June 6, 2011

  
John Landry