1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 WESTERN DISTRICT OF WASHINGTON AT SEATTLE 9 10 INTERVAL LICENSING LLC, 11 Lead Case No. C10-1385 MJP Plaintiff, 12 13 v. 14 AOL, INC., et al., **DECLARATION OF NATHAN J. DAVIS IN** SUPPORT OF INTERVAL LICENSING 15 Defendants. LLC'S RESPONSIVE CLAIM CONSTRUCTION BRIEF ('652 & '314 16 PATENTS TRACK) 17 18 19 I, Nathan Davis, state and declare as follows: 20 1. I am an associate at the law firm of Heim, Payne & Chorush, LLP, and serve as 21 counsel for Interval Licensing LLC in the above-captioned case. I am over twenty-one years of 22 age and not under any legal disability. I have personal knowledge of the attached documents and, 23 if called as a witness, could and would testify competently thereto. 24 2. Attached hereto as Exhibit A is a true and correct copy of excerpts from the 25 transcript of the October 4, 2012 deposition of Dr. William Mangione-Smith. 26 27 DECLARATION OF NATHAN J. DAVIS IN HEIM, PAYNE & CHORUSH LLP 28 SUPPORT OF INTERVAL LICENSING LLC'S OPENING CLAIM CONSTRUCTION 600 TRAVIS ST., SUITE 6710 HOUSTON, TEXAS 77002 BRIEF ('652 & '314 PATENTS TRACK) 713.221.2000

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1	3.	Attached hereto as Exhibit B is a tru	e and correct copy of U.S. Patent Application
2	No. 2012/0079416.		
3	4.	Attached hereto as Exhibit C is a true	and correct copy of U.S. Patent No. 8,219,916.
5	5.	Attached hereto as Exhibit D is a tru	e and correct copy of U.S. Patent Application
6	No. 2008/0271078.		
7	6.	Attached hereto as Exhibit E is a true	and correct copy of U.S. Patent No. 7,653,693.
9	7.	Attached hereto as Exhibit F is a true	e and correct copy of an excerpt from the New
10	Oxford American Dictionary, Second Edition.		
11	I declare under penalty of perjury under the laws of the United States that the foregoing is		
12	true and correct and that this declaration was executed on October 26, 2012.		
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14			_/s/ Nathan J. Davis
15	Nathan J. Davis		
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28	DECLARAT SUPPORT O LLC'S OPEN BRIEF ('652	ION OF NATHAN J. DAVIS IN F INTERVAL LICENSING NING CLAIM CONSTRUCTION & '314 PATENTS TRACK)	HEIM, PAYNE & CHORUSH LLP 600 TRAVIS ST., SUITE 6710 HOUSTON, TEXAS 77002 713.221.2000