IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

APPLE INC., NeXT SOFTWARE, INC., f/k/a NeXT COMPUTER, INC.. Plaintiffs, v. HIGH TECH COMPUTER CORP., a/k/a HTC CORP., HTC (B.V.I.) CORP., HTC AMERICA, INC., EXEDEA, INC., Defendants.	Case No. 1:10-CV-00166-RFK
APPLE INC., Plaintiff, v. HIGH TECH COMPUTER CORP., a/k/a HTC CORP., HTC (B.V.I.) CORP., HTC AMERICA, INC., EXEDEA, INC., Defendants.	Case No. 1:10-CV-00167-RFK

DECLARATION OF BRIAN ONG

I, Brian Ong, declare as follows:

1. I am a People Analytics Manager at Google, Inc. ("Google") in Mountain View, California. Except as shown by context, I make this declaration of personal, firsthand knowledge, and if called and sworn as a witness, I could and would testify competently thereto.

2. Google is incorporated in Delaware, but was founded in Northern California and its headquarters are located in Silicon Valley, at 1600 Amphitheatre Parkway, Mountain View, CA 94043.

3. I understand that Plaintiff Apple, Inc. ("Apple") alleges that Defendants High Tech Computer Corp., a/k/a HTC Corp., HTC (B.V.I.) Corp., HTC America, Inc. and Exedea, Inc. (collectively, "HTC") have infringed and continue to infringe one or more claims of each of Apple's U.S. Patents Nos. 7,362,331 ("the '331 Patent"), 7,479,949 ("the '949 Patent"), 7,657,849 ("the '849 Patent"), 7,469,381 ("the '381 Patent"), 5,920,726 ("the '726 Patent"), 7,633,076 ("the '076 Patent"), 5,848,105 ("the '105 Patent"), 7,383,453 ("the '453 Patent"), 5,455,599 ("the '599 Patent"), 6,424,354 ("the '354 Patent"); 5,519,867 ("the '867 Patent"), 6,275,983 ("the '983 Patent"), 5,481,721 ("the '721 Patent"), 5,566,337 ("the '337 Patent"), RE 39,486 ("the RE '486 Patent"), 6,343,263 ("the '263 Patent"), 5,969,705 ("the '705 Patent"), 5,946,647 ("the '647 Patent"), 5,929,852 ("the '852 Patent"), and 5,915,131 ("the '131 Patent") (collectively, the "Asserted Patents") by engaging in acts that constitute infringement under 35 U.S.C. § 271, including but not necessarily limited to making, using, selling, and/or offering for sale certain mobile communication devices including cellular phones and smart phones, including at least phones incorporating the Android Operating System.

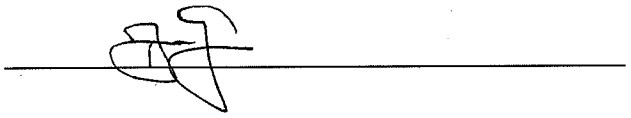
4. Google's headquarters in Mountain View, California are home to Google's primary engineering, marketing, sales, training, research and development and support functions.

5. The team leaders responsible for the engineering, marketing, distribution, sales, research, design and development of the Android Operating System are led by personnel that are primarily located at Google's facilities in Mountain View, California. Google's primary business documents and records relating to the engineering, marketing, distribution, sales, research, design and development of the Android Operating System are either physically present or electronically accessible in Mountain View, California.

6. There are no Google offices, facilities, or Android personnel in the District of Delaware. Accordingly, upon information and belief, there are no foreseeable Google internal documents, electronically stored information, or tangible things relevant to this case physically present within the District of Delaware.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on April 8, 2010, at Mountain View, California.



CERTIFICATE OF SERVICE

I hereby certify that on April 9, 2010, I caused to be served by **electronic mail and hand delivery** copies of the foregoing document and electronically filed the same with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following:

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I further certify that on April 9, 2010, I caused to be served by **electronic mail** copies of the foregoing document upon the following counsel of record:

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