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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

TATCHA LLC,

Plaintiff,

v.

LANDMARK TECHNOLOGY LLC.

Defendant.

CASE NO. 3:16-cv-04831

DECLARATION OF LAWRENCE B.
LOCKWOOD IN SUPPORT OF MOTION
TO DISMISS AND MOTION TO
TRANSFER VENUE UNDER 28 U.S.C.
§1404

I, Lawrence B. Lockwood, declare as follows:

1. I am the Managing Member for Defendant Landmark Technology LLC. I make this declaration on personal knowledge, and if called as a witness, I could and would testify competently thereto.
2. I am the inventor of the inventions in both Patents-in-Suit: (1) United States Patent No. 6,289,319 (“the ’319 Patent”), entitled Automatic Business and Financial Transaction Processing System that issued on September 11, 2001, and (2) U.S

1 Patent No. 7,010,508 (“the ’508 Patent”), entitled Automated Multimedia Data
2 Processing Network that issued on March 7, 2006.

- 3 3. I also the owner of both the ’508 Patent and the ’319 Patent. Landmark Technology
4 LLC is the exclusive licensee for both the ’508 Patent and the ’319 Patent. The
5 exclusive license includes the right for Landmark to litigate and defend the Patents-
6 in-Suit.
- 7 4. All of the work done inventing and reducing to practice the inventions of the
8 Patents-in-Suit was done in San Diego.
- 9 5. In addition, all of the documents that Landmark has relating to this case are located
10 in San Diego. These documents include all of the patent prosecution documents,
11 documents from previous litigations, documents from the various reexamination
12 proceedings, documents relating to the inventions of the Patents-in-Suit, and
13 licensing documents for all of Landmark’s patents. Further, all of activity relating
14 to the issues in dispute occurred in San Diego.
- 15 6. Defendant Landmark has no ties to the Northern District of California – it has no
16 offices here, no employees here, and does no business here.
- 17 7. Landmark has never created nor provided any claim charts to Tatcha relating to
18 either of the Patents-in-Suit.
- 19 8. In addition to myself, witnesses with relevant information in this case include:
- 20 • Patrick Nunally Ph.D. – Mr. Nunally is based in San Diego, and is head of
21 Landmark’s patent licensing, among other responsibilities. He is likely to
22 be called as a witness relating to damages and licensing, among other topics.
 - 23 • Landmark’s Patent Attorneys – The attorneys that prosecuted the Patents-in-
24 Suit, including Henri A. Charmasson and John D. Buchaca of the law firm
25 of Charmasson, Buchaca and Leach are all located in San Diego. These
26 individuals can testify about the long history of these patents, validity issues,
27 and possible claim construction issues.

1 I declare under penalty of perjury under the laws of the United States that the foregoing
2 declaration is true and correct. I have executed this declaration on October 21, 2016 at San Diego,
3 California.

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5 /s/ Lawrence B. Lockwood
6 Lawrence B. Lockwood
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