

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

ELECTRALED, INC.,

Plaintiff,

v.

ASTERA LED TECHNOLOGY GMBH,
ASTERA MANUFACTURING LIMITED,
AND ASTERA DISTRIBUTION LIMITED,

Defendants.

Case No. 2:24-cv-00512-JRG-RSP

JURY TRIAL DEMANDED

DECLARATION OF CARL-JOHAN SKÖLD IN SUPPORT OF
ASTERA DEFENDANTS' MOTION TO TRANSFER

I, Carl-Johan Sköld, declare as follows:

1. I am the Chief Executive Officer at Astera Distribution Limited ("**Astera Hong Kong**"). I have been in this position since October 2023. I made this declaration in support of the Motion to Transfer filed by Astera Hong Kong, Astera Manufacturing Limited ("**Astera China**"), and Astera LED Technology GmbH ("**Astera Germany**") (collectively, the "**Astera Defendants**").

2. Unless otherwise indicated below, the statements in this declaration are based on my personal knowledge, my review of corporate records maintained by Astera Defendants in the ordinary course of business, or my discussions with other employees of Astera Defendants. If called to testify as a witness, I could and would competently do so under oath.

3. Astera Germany is a German company, organized under the laws of Germany with its "*Sitz*," or effective place of business, in Munich, Germany. Effective place of business

is the German corporate law equivalent of the American principal place of business. Astera Germany has only one facility, which is located in Munich, Germany.

4. Astera China is a Chinese company with its principal place of business in Shenzhen, China. Astera China has only one facility, which is located in Shenzhen, China.

5. Astera Hong Kong is a company organized under the laws of Hong Kong SAR with its principal place of business in Hong Kong. Astera Hong Kong has only one facility, which is located in Hong Kong.

6. I understand that ElectraLED, Inc. ("**ElectraLED**") filed the above-captioned patent infringement lawsuit against the Astera Defendants with the U.S. District Court for the Eastern District of Texas.¹ I understand that in its First Amended Complaint ("**FAC**"), ElectraLED alleges Astera products including the AX9 Power Par ("**Accused Products**") infringe U.S. Patent No. 7,651,245.

7. None of the Astera Defendants is registered to do business in Texas; none of the Astera Defendants has employees or physical places of business in Texas.

8. The Accused Products are designed, developed, and manufactured outside the United States. Specifically, Astera-branded products, including the Accused Products, are designed and developed out of Astera China's Shenzhen facility. Upon completion of the design and development, Astera China manufactures Astera-branded products, including the Accused Products, out of its Shenzhen facility. Additionally, the primary operation, marketing, sales, and finance decisions regarding the Accused Products occur outside the

¹ I understand the Eastern District of Texas is comprised of the following counties: Liberty, Hardin, Jasper, Newton, Jefferson, Orange, Shelby, Nacogdoches, San Augustine, Sabine, Houston, Trinity, Polk, Angelina, Tyler, Camp, Cass, Harrison, Marion, Morris, Upshur, Collin, Cooke, Delta, Denton, Fannin, Grayson, Hopkins, Lamar, Bowie, Franklin, Red River, Titus, Anderson, Cherokee, Gregg, Henderson, Panola, Rains, Rusk, Smith, Van Zandt, and Wood.

United States. For example, Astera China handles the sale of products in China, and Astera Hong Kong handles the sale of products in North America and most of Europe.

9. All electronic and paper business records of the Astera Defendants related to the Accused Products, including design, manufacturing, and financial documents, are located outside the United States. Again, the Astera Defendants have no facilities or employees in the United States. Thus, such records would be located with Astera China, as well as with Astera Hong Kong and Astera Germany. The employees who will be able to assist with identification and gathering these relevant documents are also based outside the United States, in either China (where Astera China and Astera Hong Kong are located) or Germany (where Astera Germany is located).

10. All foreseeable witnesses with knowledge of the research, design, development, marketing, and sales of the Accused Products reside and work outside the United States.

11. Show Cats LLC d/b/a Inner Circle Distribution (“ICD”) is the exclusive importer and distributor of the Accused Products in the United States. ICD is also the sole point of contact for warranty repairs and technical support of the Accused Products in the United States. ICD is a Florida limited liability company, with its principal place of business located at 3300 Davie Road Suite 105 Davie, FL 33314.

12. ICD handles all inquiries and complaints about Astera-branded products, including the Accused Products, in the United States. Astera Hong Kong provides training materials about Astera-branded products, including the Accused Products, to ICD to facilitate ICD’s sales activities and services to customers in the United States.

13. On information and belief, ICD’s physical, electronic, and paper business

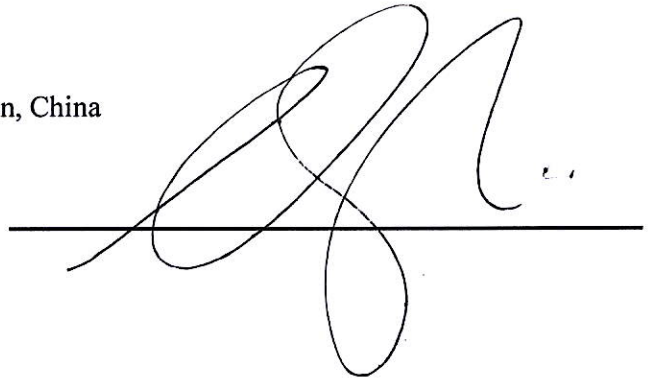
records related to the Accused Products are located in or near ICD's headquarters in Davie, Florida, including importation and sales records of the Accused Products, inventory of Astera-branded products, product manuals, and training materials about Astera-branded products. Further, the ICD employees who will be able to assist with identification and gathering of these relevant documents are also based in ICD's headquarter in Davie, Florida.

14. All foreseeable witnesses with knowledge of the Accused Products in the United States are employees of ICD based in ICD's headquarter in Davie, Florida, including:

- Ole Kaack – Mr. Kaack is the Chief Executive Officer of ICD and may have relevant knowledge regarding the importation, sales, and service of the Accused Products in the United States, among other things.
- Noel Duncan – Mr. Duncan is the Executive Director of ICD and may have relevant knowledge regarding the importation, sales, and service of the Accused Products in the United States, among other things.
- Filippo Frigeri – Mr. Frigeri is the VP of Sales and Marketing of ICD and may have relevant knowledge regarding the sales and marketing of the Accused Products in the United States, among other things.
- Ricardo Rodriguez – Mr. Rodriguez is an employee of ICD and may have knowledge regarding the technical service of the Accused Products in the United States, among other things.
- Peter Martin – Mr. Martin is an employee of ICD and may have relevant knowledge regarding the technical details of the Accused Products in the United States, among other things.

I declare under penalty of perjury under the law of the United States of America that the foregoing statements are true and correct.

Executed on 14 February 2025 in Shenzhen, China

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned over a solid horizontal line.