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

SAMSUNG ELECTRONICS CO. LTD.
AND SAMSUNG ELECTRONICS
AMERICA, INC.,

Plaintiffs,

v.

CM HK, LTD. AND CYWEE GROUP
LTD.,

Defendants.

Case No. 4:24-CV-06567-JST

**DECLARATION OF DR. SHUN-NAN
LIOU IN SUPPORT OF CM HK
LTD.'S MOTION TO DISMISS**

1 I, Shun-Nan Liou, declare as follows:

2 1. I am over the age of 21 and competent to make this declaration.

3 2. All the statements set forth herein are true and correct and are based upon my
4 personal knowledge.

5 3. I am a named inventor of U.S. Patents Nos. 10,275,038 (“the ’038 Patent”),
6 10,817,072 (“the ’072 Patent”), 10,852,846 (“the ’846 Patent”), and 11,698,687 (“the ’678
7 Patent”) (collectively, “Patents-at-Issue”).

8 4. I am the Chief Executive Officer of CyweeMotion Group Ltd., CyweeMotion Ltd.,
9 CyweeMotion HK Ltd., CyWee Motion Inc., and CM HK Ltd.

10 5. I am not employed in any capacity by CyWee Group Ltd. and haven’t been since
11 2014.

12 6. I understand that on September 18, 2024, Samsung Electronics Co. Ltd., and
13 Samsung Electronics America Inc., (collectively as “Samsung”) filed a Declaratory
14 Judgment action against CyWee Group Ltd. and CM HK Ltd in the Northern District of
15 California seeking a declaration of noninfringement and invalidity over the Patents-at-issue.

16 7. On November 1, 2024, CM HK Ltd. filed a patent infringement suit against Samsung
17 in the Eastern District of Texas, under the caption; Case No. 2:24-cv-00880-JRG, *CM HK*
18 *Ltd v. Samsung et al.*

19 8. CyWee Group Ltd. owns approximately 39.28% of CyweeMotion Group Ltd.

20 9. This minority stake allows CyWee Group Ltd. to appoint three of CyweeMotion
21 Group Ltd.’s seven-person board of directors.

22 10. CyweeMotion Group Ltd.’s other investors appoint the other three board members,
23 and I am the Chairman of the Board.

24 11. CyweeMotion Group Ltd. is an Exempted Company that was incorporated in the
25 Cayman Islands on December 3, 2015.

26 12. In 2014, CyWee Group approved the spin-off plan of the Motion Business Unit into
27 two subsidiaries, CyWee Motion Inc. and CyweeMotion Ltd.

13. CyweeMotion Ltd. and CyWee Motion Inc. were both incorporated in 2014.

14. CyWee Motion Inc. is 100% owned by CyweeMotion Ltd.

15. Shortly after incorporation, directors were appointed at CyweeMotion Ltd. and it began operating independently from CyWee Group Ltd.

16. CyweeMotion Ltd.'s board appointed me as the Chief Executive Officer.

17. In 2016, to facilitate fund raising, CyweeMotion Ltd. decided to restructure by incorporating a new Cayman Islands company called CyweeMotion Group Ltd. as a fund raising and holding entity.

18. CyweeMotion Group Ltd. has always operated independently from CyWee Group Ltd.

19. As part of this restructuring, CM Investment Inc. was incorporated in Samoa on March 8, 2016.

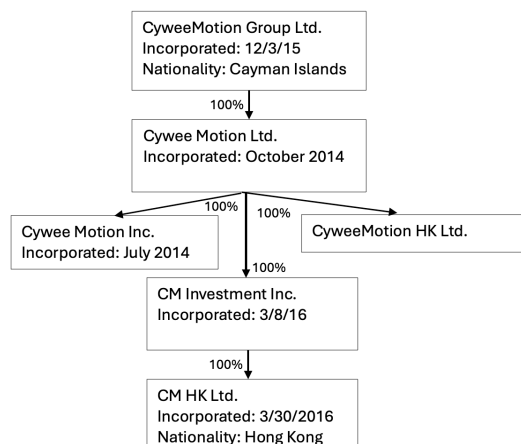
20. CM Investment Inc. is 100% owned by CyweeMotion Ltd.

21. CM HK Ltd. was incorporated in Hong Kong under Chapter 622 of the Laws of Hong Kong as a limited company on March 30, 2016.

22. CM HK Ltd. is headquartered and maintains its principal place of business at Unit D18 3/F, Wong King Industrial Building, No 2-4 Tai Yau Street, Kowloon, Hong Kong.

23. CM HK Ltd. is 100% owned by CM Investment Inc.

24. Here is an illustration of the current corporate family of the CyweeMotion business group:



1 25. CM HK Ltd. is a separate corporation, governed by its own management structure
2 and makes its decisions entirely independent of CyWee Group Ltd.

3 26. CyweeMotion Group Ltd. maintains its finances in accounts that are separate from
4 CyWee Group Ltd.

5 27. CM HK Ltd. maintains its finances in accounts that are separate from CyWee
6 Group Ltd.

7 28. Neither CyweeMotion Group Ltd. nor CM HK Ltd. has assumed responsibility for
8 paying any of CyWee Group Ltd.'s debts.

9 29. CM HK Ltd. has never been CyWee Group Ltd.'s agent.

10 30. CM HK Ltd has never had an office in California.

11 31. CM HK Ltd has never conducted business in California.

12 32. CM HK Ltd is not a successor of CyWee Group Ltd.

13 33. CM HK Ltd. has no physical presence in the United States.

14 34. CM HK Ltd. operates in compliance with all corporate formalities required by law.

15 35. On March 28, 2016, CyWee Group Ltd. assigned its entire patent portfolio, except
16 U.S. Patents 8,441,438 and 8,552,978, and all related intellectual property to CyweeMotion
17 HK Ltd. I signed this agreement as CEO of CyWeeMotion HK Ltd.

18 36. **Exhibit 1** is a true and correct copy of the Patent Assignment and License
19 Agreement between CyWee Group Ltd. and CyweeMotion HK Ltd. that is dated March
20 28, 2016.

21 37. On March 31, 2017, CyWee Motion HK Ltd. assigned all of its rights to that patent
22 portfolio, which includes all four of the patents-at-issue here, to CM HK. I signed that
23 agreement as the CEO of CyWeeMotion HK Ltd. and as the CEO of CM HK Ltd.

24 38. **Exhibit 2** is a true and correct copy of the Assignment between CyweeMotion HK
25 Limited and CM HK Ltd. that is dated March 31, 2017.

26 39. On September 25, 2024, CyWeeMotion HK Ltd. reaffirmed its assignment of its
27 U.S. patents to CM HK Ltd. and specifically listed all four of the U.S. patents at issue in this
28

1 case (which had not issued at the time of the prior assignments). I again signed this
2 assignment as the CEO of both CyWeeMotion HK Ltd. and CM HK Ltd.

3 40. **Exhibit 3** is a true and correct copy of the Patent Assignment between CyweeMotion
4 HK Ltd. and CM HK Ltd. that is dated September 24, 2024.

5 41. On September 22, 2024, this assignment was recorded at the PTO.

6 42. **Exhibit 4** is a true and correct copy of the record of the assignment at the PTO.

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8 I declare under penalty of perjury under the laws of the United States that the foregoing
9 is true and correct to the best of my knowledge.

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11 Dated: January 26, 2025

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Shun-Nan Liou