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CLERK, U.S. DISTRICT COURT

5/22/18 DAVID J. VAN HAVERMAAT (Cal. Bar No. 175761) 1 CENTRAL DISTRICT OF CALIFORNIA Email: vanhavermaatd@sec.gov BY: CS DAVID S. BROWN (Cal. Bar No. 134569) 2 Email: brownday@sec.gov 3 Attorneys for Plaintiff Securities and Exchange Commission 4 5 Joseph G. Sansone, Unit Chief (Market Abuse Unit) New York Regional Office 200 Vesey Street, Suite 400 New York, New York 10281 6 7 Robert A. Cohen, Unit Chief (Cyber Unit) 8 Headquarters 100 F'Street, N.E. Washington, District of Columbia 20549 9 Michele Wein Layne, Regional Director Amy Jane Longo, Regional Trial Counsel 10 444 S. Flower Street, Suite 900 11 Los Angeles, California 90071 Telephone: (323) 965-3998 Facsimile: (213) 443-1904 12 13 LODGED CLERK, U.S. DISTRICT COURT UNITED STATES DISTRICT COURT 14 5/22/18 CENTRAL DISTRICT OF CALIFORNIA 15 CENTRAL DISTRICT OF CALIFORNIA
BY: CS DEPUTY WESTERN DIVISION 16 17 Case No. CV18-4315-DSF(JPRx) SECURITIES AND EXCHANGE COMMISSION. 18 **DECLARATION OF JOHN F.** Plaintiff, **MULLEN** 19 20 VS. 21 TITANIUM BLOCKCHAIN INFRASTRUCTURE SERVICES. 22 INC.; EHI INTERNETWORK AND SYSTEMS MANAGEMENT, INC. 23 aka EHI-INSM, INC.; and MICHAEL 24 ALAN STOLLERY aka MICHAEL STOLLAIRE, 25 Defendants. 26 27

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DECLARATION OF JOHN F. MULLEN

I, John F. Mullen, declare, pursuant to 28 U.S.C. § 1746, as follows:

- 1. I am employed by SAP ("SAP") as a Senior Counsel. I have personal knowledge of the matters set forth below and, if called as a witness, would testify to these facts under oath.
- 2. I make this declaration at the request of the United States Securities and Exchange Commission ("SEC").
- 3. SAP is the world's largest business software company and is headquartered in Walldorf, Germany.
- 4. On or about February 12, 2018, the SEC requested that SAP provide it with certain information concerning companies called Titanium Blockchain Infrastructure Services, Inc. ("TBIS") and EHI Internetwork and Systems Management, Inc. ("EHI"), and an individual named Michael Stollaire aka Michael Stollery or Michael Stoller ("Stollaire").
- 5. In my capacity as a Senior Counsel at SAP, I am required, periodically and as needed, to become familiar with the entities with which SAP has contracts, agreements, and/or other substantive business relationships including alliances and partnerships. In addition, in my capacity as a Senior Counsel at SAP, I share responsibility with other members of SAP's legal department, intellectual property counsel, and others to protect SAP's trade name, trademarks, and service marks from infringement and other unauthorized uses by third parties. In response to the SEC's request, and at my direction, SAP personnel reviewed the books, records, files, and computer systems of the business units within SAP that might reasonably be expected to have or to have had any type of business relationship with TBIS or EHI or Stollaire including as a customer, client, vendor, employee, contractor, consultant, or other type of business transaction.
- 6. SAP keeps and maintains business records in the course of its transactions and regularly conducted activities as a regular practice. It is SAP's

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practice to prepare such records at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters. SAP maintains books and records of entities and persons with which it has contracts, agreements, and/or other substantive business relationships, such the purchase and sale of a product or service, making an investment, or entering into an alliance or partnership, including authorized uses by third parties of its trade name, trademarks, and service marks. SAP also maintains books and records of entities and persons with which it has engaged as an employee, vendor, contractor, or consultant. For the purposes of this declaration, as a Senior Counsel at SAP, I am the custodian of those records or am otherwise qualified to testify about them.

- 7. SAP's books and records are current as of the date of this declaration. The search of these materials has not disclosed any current or past business relationship of any kind between SAP and TBIS or EHI or Stollaire directly.
- 8. The search of these materials indicates that a subsidiary of SAP used the services of a third party contractor to provide certain information technology ("IT") services for the SAP subsidiary and that contractor subcontracted a portion of that work to a subcontractor. These materials indicate that Stollaire worked as an independent contractor on the IT services between late 2016 and early 2017 when the contract was terminated. These materials indicate the scope of the IT services involved the use of commercially available IT products and services used by the SAP subsidiary, and did not include blockchain technology or digital currency.
- 9. The search of these materials has not disclosed that SAP has authorized TBIS or EHI or Stollaire to use SAP's name or logo in their marketing or advertising or for any other purpose. The "SAP" name and logo are the intellectual property of the company. SAP considers a third-party's unauthorized use of the "SAP" name or logo in marketing or advertising as an infringement of its intellectual property.

SAP sent Stollaire a cease and desist letter on March 13, 2018, a true and correct copy of which is attached hereto as Exhibit 1. To date SAP has received no response. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 20th day of March, 2018 at Newtown Square, Pennsylvania.

EXHIBIT 1

March 13, 2018

VIA MAIL AND EMAIL (info@tbis.io)
Titanium Blockchain Infrastructure Services, Inc.
15027 Dickens Street, Suite 4
North Hollywood, CA 91403

Re: Unauthorized Use of SAP Logo

Dear Sir or Madam:

It has come to our attention that you are using the SAP logo at the following site (also see Attachment A):

SAP is the owner of the SAP trademark both in the U.S. and in many countries around the world. Use of the SAP logo may suggest to the public that your services are somehow endorsed by or affiliated with SAP, when they are not. Please cease all unauthorized use of the SAP logo and provide your written assurances to this effect within 10 days.

Thank you for your attention to this important matter.

Sincerely,

Senior IP Connset | Glahal Trademarks, Anti-Piracy, Copyrights and Trade Secrets SAP | 15 Wayside Road | Gurlington, MA 01803 | USA

T (781) 852-3054 | E;

Attachment A

