

Exhibit 3



Rebecca Carson

Partner

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Practice Areas

Litigation
Intellectual Property
Litigation
Appellate

Education

University of Virginia
School of Law (J.D., 2007);
Articles review board
member, *Journal of Social
Policy and the Law*; Semi-
finalist, Lile Moot Court
Competition; Selected as
one of the best oral
advocates of her first-year
class

University of San Diego
(B.A., Psychology and
Communication Studies,
2004), summa cum laude;
Phi Beta Kappa

Admissions

California, 2007
U.S. District Court for the
Central, Northern and
Southern Districts of
California
U.S. Court of Appeals for
the Ninth and Federal
Circuits

Rebecca Carson's practice encompasses a wide range of complex commercial litigation matters, including patent infringement, trademarks, contractual issues, employment matters and business torts. Rebecca has gained significant trial experience at the firm, including recent trials in federal court and at the U.S. International Trade Commission (ITC), one of which was selected as a Top Verdict by the *Daily Journal*. Rebecca also has experience arguing before the Federal Circuit and the Patent Trial and Appeal Board (PTAB). The *Daily Journal* named Rebecca one of the Top 40 Lawyers Under 40 in 2018 and one of the 75 Top IP Lawyers in California in 2019. She was also recognized nationally in 2018 as a "Rising Star" in technology by *Law360*.

Rebecca is co-hiring partner for Irell & Manella LLP's Newport Beach office and an active member of the firm's Pro Bono Committee. In addition, she has devoted a significant amount of time to the community. The Laguna Beach City Council has appointed Rebecca to various advisory committees since 2011. She currently serves as the elected vice chairperson on the city's View Restoration Committee, which adjudicates view claims submitted by property owners to restore pre-existing views that are alleged to be significantly impaired by vegetation.

Experience

- *Finjan Inc. v. Juniper Networks, Inc. (N.D. Cal.)*. Successfully defended Juniper against a patent infringement lawsuit, convincing a jury in the U.S. District Court for the Northern District of California that Juniper did not infringe a malware detection patent held by Finjan Inc. Finjan asserted seven computer security patents against Juniper. The judge ordered each party to select the patent claim it felt was the strongest and move for early summary judgment on that claim in a proceeding the judge called a "Patent Showdown." Juniper prevailed on summary judgment for the claim it selected, and defeated Finjan's summary judgment motion – setting up the trial on what Finjan had selected as its strongest claim. During the trial, Irell persuaded the court that Finjan, which sought \$60 million in damages, had not presented sufficient evidence to support a damages claim. The eight-member jury also delivered a unanimous finding of non-infringement.

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for Juniper. After the trial, the judge ordered a second round of the "Patent Showdown." Once again, Juniper obtained summary judgment on the claim it selected. Not only did Juniper defeat Finjan's motion, but it also convinced the court to enter summary judgment in Juniper's favor on that claim. Shortly after the ruling, Finjan voluntarily dismissed its remaining claims against Juniper. The Federal Circuit issued a summary affirmance on appeal.

- *Juno Therapeutics Inc. et al. v. Kite Pharma Inc. (C.D. Cal.)*. Served as part of the team that convinced a jury in the U.S. District Court for the Central District of California to award Sloan Kettering Institute for Cancer Research and Juno Therapeutics, Inc. \$752 million in a patent infringement suit against Kite Pharma Inc. The jury also found that Kite willfully infringed the patent for cancer immunotherapy. The court subsequently enhanced the award to \$1.2 billion.
- *Mobile Telecommunication, LLC (MTel) v. Juniper Networks, Inc. (E.D. Tex./D. Del.)*. Represented Juniper in a multidistrict patent litigation in which MTel asserted three patents relating to Wi-Fi technology. Prior to suing Juniper, MTel had obtained a multimillion-dollar jury verdict on some of the same patents against a different defendant. MTel originally brought its claims against Juniper in the U.S. District Court for the Eastern District of Texas, but the case was transferred to the U.S. District Court for the District of Delaware after Juniper and several other defendants successfully petitioned to have the cases consolidated in a multidistrict litigation in Delaware. After being transferred to Delaware, Juniper secured a favorable claim construction order, which prompted MTel to agree to dismiss one of the patents with prejudice and stipulate to noninfringement and invalidity of the two remaining patents. Rebecca argued before the MDL Panel and at the claim construction hearing. The case settled while on appeal.
- *Immersion v. Apple (ITC)*. Represented Immersion in a multi-patent action pending before the International Trade Commission, U.S. District Court for the District of Delaware and the PTAB. The dispute involved several Immersion patents relating to tactile feedback technologies that were asserted against Apple devices. The ITC case went to trial before the chief administrative law judge. The dispute settled when Immersion entered into settlement and license agreements with Apple, the terms of which are confidential.
- *Koninklijke Philips N.V. et al. v. ZOLL Medical Corp. (D. Mass.)*. Part of the Irell team that defeated a \$217 million damages claim for ZOLL's infringement of defibrillator technology patents and secured a jury verdict of no willful infringement. Irell was retained for the damages phase after ZOLL was found to infringe in an earlier liability trial handled by another law firm. Irell initially secured multiple appellate victories for ZOLL on the liability verdict, including overturning the jury verdict that several asserted patent claims were not invalid as anticipated. On remand, Philips sought \$217 million on its infringement claims against ZOLL, and ZOLL sought \$3.3 million on its infringement counterclaims against Philips. The jury awarded \$10.4 million to Philips and \$3.3 million to ZOLL, resulting in a net verdict of only \$7.1 million to Philips. The case settled shortly after the jury trial.
- *Koninklijke Philips N.V. et al. v. ZOLL Lifecor Corp. (W.D. Penn.)*. Represented ZOLL Lifecor in a patent infringement case in the U.S. District Court for the Western District of Pennsylvania involving external defibrillator technology. The case settled shortly after Irell won an important *Daubert* motion excluding critical parts of the opinion of Philips's damages expert and also defeated a \$217 million damages claim against ZOLL Lifecor's parent company at a jury trial.
- *Brixham Solutions LTD v. Juniper Networks, Inc. (N.D. Cal.)*. Represented Juniper in a patent lawsuit in which Brixham asserted a number of patents relating to router technologies. Juniper convinced the PTAB to institute inter partes review proceedings on all asserted claims. The PTAB ultimately found that the patents were invalid,

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and the Federal Circuit upheld that decision. Rebecca handled the arguments before both the PTAB and the Federal Circuit.

- *Nipro Corporation v. NxStage, Inc. (PTAB)*. Represented NxStage in an inter parte review (IPR) proceeding on a patent relating to dialysis technology brought by a competitor. The Irell team secured complete denial of the IPR petition as to all challenged claims on claim construction grounds.
- *Unite Here Local 11 v. Anaheim Arena (O.C. Superior Ct.)*. Represented Anaheim Arena in a lawsuit brought by a union to enforce various provisions of the Janitor Displacement Opportunity Act, which the union had lobbied to make temporarily applicable to food service employees of entertainment venues. The union voluntarily dismissed the action shortly after Anaheim Arena defeated the union's request for a preliminary injunction. Rebecca also represented Anaheim Arena in a related class action that was dismissed at the pleading stage.
- *GraphOn Corporation v. Juniper Networks, Inc. (E.D. Tex./N.D. Cal.)*. Represented Juniper in two separate patent infringement cases brought by GraphOn involving several firewall-related patents. Juniper successfully moved to transfer the cases from the U.S. District Court for the Eastern District of Texas to the U.S. District Court for the Northern District of California. Subsequently, both cases were stayed pending reexamination of the patents-in-suit by the USPTO. After the USPTO canceled all of the claims asserted against Juniper, the case settled on mutually satisfactory terms.
- *Enhanced Security Research/Altitude Capital v. Juniper Networks, Inc. (E.D. Tex./D. Del.)*. Represented Juniper in a series of cases involving a patent dispute with Enhanced Security Research (ESR) and Altitude Capital and secured a successful settlement for Juniper. Under the terms of the public settlement agreement, ESR and Altitude received no monetary payment from Juniper, which was granted a full release, a covenant not to sue and a license to ESR's and Altitude's entire patent portfolios (including the patents-in-suit) in exchange for Juniper's agreement to walk away from the nearly five-year litigation without continuing to seek attorneys' fees and to discontinue its participation in the appeal of the pending reexamination proceedings.
- *United States v. Mr. and Mrs. V.* Provided pro bono representation for an immigrant family in Los Angeles Immigration Court on an application for cancellation of removal. After an evidentiary hearing that included testimony from the couple and their two children, the judge issued a positive final ruling that allowed the entire family to remain in the United States after three appeals and 10 years of litigation in the immigration courts.
- *RRLH, Inc. v. Barto (C.D. Cal.)*. Counseled RRLH on a number of trademark issues, including the enforcement of a consent judgment that prohibited Barto from infringing RRLH's trademarks. In response to RRLH's motion, the court ruled that Barto was in contempt of the consent judgment order and awarded RRLH monetary damages and attorneys' fees. The damages award—including the award of attorneys' fees—was upheld by the U.S. Court of Appeals for the Ninth Circuit.

Honors & Awards

- Recognized as one of the "25 Up-and-Coming Orange County Rising Stars" (2019-2020)
- Recognized as one of the "50 Up-and-Coming Women Southern California Rising Stars" (2019-2020)
- Recognized as one of the Top IP Lawyers in California, *Daily Journal* (2019)
- Recognized as one of the Top 40 Under 40 Lawyers in California, *Daily Journal* (2018)

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- Named a "Rising Star" and one of three technology lawyers under 40 in the country to watch, *Law360* (2018)
- Named to *Benchmark Litigation's* "Under 40 Hot List" (2016-2019)
- Named to the Southern California Rising Stars list (2013-present)

Publications

- "Patent (Win) Pending," *Best Lawyers* (December 19, 2019)
- "Equitable Estoppel Case Out of Touch With Reality," *Daily Journal* (April 17, 2013)
- "Ethically Speaking: Rule 502 and Clawback Agreements," *54 Orange County Lawyer* (2012)
- "Ethically Speaking: The Rules of 'Friending,'" *53 Orange County Lawyer* (2011)

Speaking Engagements

- "Encoding Conditions and Personality Effects on a Recognition Task," poster presentation at the 84th Annual meeting of the Western Psychological Association in Phoenix, Arizona (2004)

Professional Activities

- PLC Advocates (2014-2015)
- Howard T. Markey Inn of Court

Community Involvement

- View Restoration Committee, Laguna Beach City Council (2017-2018)
- Leadership Laguna (2016)
- Parking, Transportation and Circulation Committee, Laguna Beach City Council (2012-2015)