

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD**

**APPLE INC., SAMSUNG ELECTRONICS LTD. and SAMSUNG
ELECTRONICS AMERICA, INC., and GOOGLE, INC.**

Petitioners,

v.

SMARTFLASH LLC

Patent Owner.

Case CBM2015-00132
Case CBM2015-00031
Case CBM2015-00032
Case CBM2015-00133¹
Patent No. 8,336,772 B2

**DECLARATION OF CHARLES K. VERHOEVEN IN SUPPORT OF MOTION
FOR *PRO HAC VICE* ADMISSION**

I, Charles K. Verhoeven, being duly sworn and under oath, state and declare
as follows:

¹ Google challenged claims 1, 5, 9, 10, 14, 21, and 22 of U.S. Patent No. 8,336,772 in CBM2015-00132. Google's challenge to claims 1, 5, and 10 was consolidated with CBM2015-00031. CBM2015-00132, Pap. 15. Google's challenge to claims 14 and 22 was consolidated with CBM2015-00032. *Id.* Google's challenge to claims 9 and 21 was consolidated with CBM2015-00133. *Id.* Identical motions for *pro hac vice* admission and supporting declarations are being filed in CBM2015-00031, CBM2015-00032, CBM2015-00132, and CBM2015-00133.

1. I am a member in good standing of the State Bar of California and of the State Bar of New York.
2. I have never been suspended or disbarred from practice by any court or administrative body.
3. I have never been denied an application for admission to practice before any court or administrative body.
4. I have never been sanctioned or had contempt citations imposed against me by any court or administrative body.
5. I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of 37 C.F.R.
6. I will be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).
7. I have not applied to appear *pro hac vice* before the Office in the last three (3) years.
8. I am an experienced litigation attorney and have been practicing law since 1989. My practice focuses on intellectual property litigation, and I have litigated patent infringement cases in district courts throughout the country. I have participated in all stages of district court proceedings in patent cases, including *Markman* hearings, trials, and other patent-related hearings and proceedings concerning patent validity and infringement issues. I have been repeatedly listed

as one of the “leading individuals” in California in the field of intellectual property by *Chambers USA*.

9. I have experience and am familiar with U.S. Patent No. 8,336,772 (“the ’772 patent”). I represent Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., HTC Corporation, and HTC America, Inc. in currently stayed district court litigation where Smartflash asserts infringement of U.S. Patent Nos. 7,334,720; 7,942,317; 8,033,458; 8,061,598; and 8,336,772 based in part on those defendants’ use of Google Play. (*Smartflash LLC v. Samsung Elecs. Co., Ltd., et al.*, E.D. Tex. No. 6:13-cv-448.) As counsel in those district court proceedings, I have been involved in all aspects of the defense, including with respect to issues regarding the invalidity of the ’772 patent.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on December 23, 2015, at San Francisco, California.

/Charles K. Verhoeven/
Charles K. Verhoeven