

**AFFIDAVIT OF TODD KENNEDY IN SUPPORT OF  
MOTION FOR PRO HAC VICE ADMISSION**

I, Todd Kennedy, being duly sworn and upon oath, hereby attest to the following:

1. I am a member in good standing of the Federal Circuit, the Eighth Circuit, the U.S. District Court for the Northern District of California, the U.S. District Court for the Eastern District of Texas, the Missouri Bar, and the State Bar of California.
2. I have not been suspended or disbarred from practice before any court or administrative body.
3. I have never had an application for admission to practice before any court or administrative body denied.
4. No sanction or contempt citation has been 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 the 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 applied to appear *pro hac vice* in docket numbers IPR2014-00079, IPR2014-00080, IPR2014-00082, IPR2014-00083, IPR2014-00085, IPR2014-00086, IPR2014-00092, and IPR2014-00093. I have not applied to appear *pro*

*hac vice* before the Office in any other proceeding in the last three (3) years.

8. I am an experienced litigation attorney with experience with complex litigation in both state and federal courts. I am familiar with the subject matter at issue in this proceeding, including the prior art on which Petitioners rely in this request and U.S. Patent Nos. 7,010,536 and 7,702,682. I have also reviewed the pertinent issues of claim construction that have been briefed in this proceeding.

Respectfully Submitted,

Dated: March 26, 2014



Todd Kennedy  
Attorney for Evolutionary Intelligence

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