

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PETROLEUM GEO-SERVICES CORP.,
and
ION GEOPHYSICAL CORPORATION
AND ION INTERNATIONAL S.A.R.L.
Petitioners,

v.

WESTERNGECO LLC,
Patent Owner

Case IPR2014-00688
Patent No. 7,080,607

**DECLARATION OF DAVID J. HEALEY IN SUPPORT OF
PETITIONER'S MOTION FOR *PRO HAC VICE* ADMISSION**

**DECLARATION OF DAVID J. HEALEY IN SUPPORT
OF PETITIONER'S MOTION FOR *PRO HAC VICE*
ADMISSION**

I, David J. Healey, hereby declare the following:

1. I am a member in good standing of the State Bar of Texas, as well as the United States Court of Appeals for the Federal Circuit. I have briefed multiple appeals in the Federal Circuit and have had at least three oral arguments before that Court. Since at least 1994, I have been counsel in cases focused on patent infringement in the United States District Courts for the Southern (Houston and Galveston Divisions), Western (Austin Division), Northern (Dallas Division) and Eastern Districts (Texarkana, Marshall, Lufkin and Beaumont Divisions) of Texas; the District of Delaware; the Eastern District of Virginia (Alexandria and Richmond Divisions); the Northern District of California (San Francisco, San Jose and Oakland Divisions), and the Northern District of Illinois (Chicago Division) (among others). I have also appeared in “337 actions” involving patent infringement in the International Trade Commission in Washington D.C. I have given presentations involving patent law and litigation at seminars at the U.S. Patent and Trademark Office, the University of Texas, the State Bar of Texas, the Houston Intellectual Property Law Association, and the Eastern District of Texas Bench-Bar Conference, among others. I have written and published articles on patent law topics. I was one of the founding members of the Houston Intellectual

Property Inn of Court (now the Honorable Nancy J. Atlas Inn of Court), and helped to write the local patent rules for the Southern District of Texas in 2007. (I have also argued appeals in the Fifth Circuit, Fourth Circuit and the Texas Supreme Court).

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 Code of Federal Regulations.
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 am concurrently applying to appear *pro hac vice* before the Office in IPR2014-00687, to which IPR2015-00566 was joined, and IPR2014-00689, to which IPR2015-00565 was joined.
8. I am an experienced attorney with more than 20 years of experience representing clients in patent cases at trial and on appeal. These cases have

involved medical devices, computer software, chemicals, subsea oil exploration and extraction equipment, mechanical devices, chemical compositions, telecommunications, and semiconductors, among other technologies. I have briefed and argued numerous claim construction and validity matters. I regularly litigate patent cases in various forums including the United States Court of Appeals for the Federal Circuit, federal district courts, and the International Trade Commission. Through my experience in patent litigation matters, I have represented clients in many phases of litigation including discovery, claim construction hearings, jury trials, bench trials, and appeals. My biography is attached hereto as Exhibit A.

9. On March 6, 2015, I argued the appeal in the United States Circuit Court for the Federal Circuit in *WesternGeco LLC v. ION Geophysical, Corp.*, which involves the patents in these IPR proceedings. Previously, I worked on post-trial motion practice from late August 2012 to April 2014 in the United States District Court for the Southern District of Texas on the district court litigation that lead to this appeal.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false

statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Pursuant to 28 U.S.C. Section 1746(2), I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 28, 2015.

Respectfully submitted,

/s/ David J. Healey

David J. Healey
Fish & Richardson P.C.
Suite 2800
1221 McKinney St.
Houston, Texas 77010
(713) 654-5300
Email: healey@fr.com

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