

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ARTSANA USA, INC.
Petitioner

v.

KOLCRAFT ENTERPRISES, INC.
Patent Owner

Case IPR2014-01053
Patent 8,388,501

Before JAMES T. MOORE, *Administrative Patent Judge*.

**DECLARATION OF RAYMOND P. NIRO, JR. IN SUPPORT OF MOTION
FOR *PRO HAC VICE* ADMISSION**

I, Raymond P. Niro, Jr., being duly sworn and upon oath, hereby attest to the following:

1. I am a member in good standing of the Bar of the State of Illinois, as well as the United States Court of Appeals of the Federal Circuit, the United States Court of Appeals of the Fourth Circuit, and the U.S. District Courts for the Southern District of California, the District of Colorado, the Northern and Central Districts of Illinois, the Eastern District of Michigan, and the Eastern and Western Districts of Wisconsin.
2. I have never 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. I have never been sanctioned or cited for contempt by any court or administrative body.
5. I have read and will comply with the Office of Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of Title 37 of the C.F.R.

6. I agree to be subject to the United States Patent and Trademark Office Code of Professional Responsibility 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 one other proceeding before the Office within the last three (3) years. Specifically, I applied to appear *pro hac vice* in *Inter Partes* Reexamination Control No. 95/000,514, on September 30, 2013, to represent Kolcraft Enterprises, Inc. in the oral hearing in that proceeding. I have not applied to appear *pro hac vice* in any other proceeding(s), other than the instant proceeding and *Inter Partes* Reexamination Control No. 95/000,514, before the United States Patent and Trademark Office in the last three (3) years.
8. I am familiar with the subject matter at issue in this proceeding. I am the lead counsel representing Kolcraft Enterprises, Inc., the owner of the patent in this proceeding, in *Kolcraft Enterprises, Inc. v. Artsana USA, Inc. and Artsana*, Civil Action No. 1:13-cv-04863 (N.D. Ill., Filed July 8, 2013), which is a co-pending, related matter that involves the same patent at issue in this proceeding. I am also lead counsel representing Kolcraft Enterprises, Inc. in *Kolcraft Enterprises, Inc. v. Graco Children's Products Inc. and Chicco USA, Inc.*, Civil Action

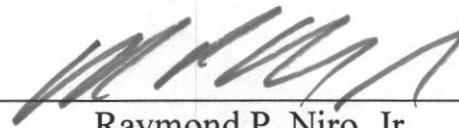
No. 1:09-cv-03339, (N.D. Ill., Filed June 3, 2009), which is a co-pending litigation that involves U.S. Patent No. 7,376,993, the parent patent of the patent at issue in this proceeding. As such, I have extensive understanding of the underlying legal and technological issues at stake in this proceeding and, thus, I am generally familiar with (i) U.S. Patent No. 8,388,501, the patent at issue in this proceeding, (ii) the prior art relied upon in Artsana's Petition, and (iii) the legal and factual arguments made by Artsana. Additionally, I have been practicing in the field of intellectual property, and particularly, patent litigation, for over twenty-two years, and I have litigated over 100 intellectual property cases.

9. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believe to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful and false statements may jeopardize the validity of this patent and any patent resulting therefrom.

Case IPR2014-01053 (U.S. Patent 8,388,501)
Declaration of Raymond P. Niro, Jr.

Dated: July 29, 2014

By:



Raymond P. Niro, Jr.
NIRO, HALLER & NIRO
181 West Madison, Suite 4600
Chicago, Illinois 60602
(312) 236-0733
Fax: (312) 236-3137

Attorneys for Patent Owner
Kolcraft Enterprises, Inc.