

Filed on behalf of: Apple Inc.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC., MOTOROLA MOBILITY LLC, and
TOSHIBA AMERICA INFORMATION SYSTEMS, INC.,
Petitioner

v.

GLOBAL TOUCH SOLUTIONS, LLC,
Patent Owner

Case IPR2015-01173
U.S. Patent No. 7,329,970 B2

Before JUSTIN BUSCH, LYNN E. PETTIGREW, and
BETH Z. SHAW, *Administrative Patent Judges*.

**DECLARATION OF JAMES R. BENDER IN SUPPORT OF
PETITIONER APPLE INC.'S UNOPPOSED MOTION FOR
PRO HAC VICE ADMISSION UNDER 37 C.F.R. § 42.10(c)**

I, James R. Bender, resident of Falls Church, Virginia, declare as follows:

1. I am an attorney at the firm of Latham & Watkins LLP, counsel of record for Petitioner Apple Inc. I have personal knowledge of the facts set forth in this declaration and, if called as a witness, could and would testify competently under oath.

2. I am a member in good standing of the District of Columbia Bar (Bar No. 1004382) and admitted to practice before the U.S. District Court for the Eastern District of Texas and the U.S. Court of Appeals for the Federal Circuit.

3. I have never been suspended or disbarred from practice before any court or administrative body. No application of mine for admission to practice before any court or administrative body has ever been denied. No court or administrative body has imposed sanctions or contempt citations against me.

4. 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. I acknowledge and agree that 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).

5. I received a Bachelor of Science degree in Electrical Engineering and Computer Science from the University of California, Berkeley in 2002. I earned a law degree from Columbia University School of Law in 2010, where I was a James

Kent Scholar. I joined Latham & Watkins LLP (“Latham”) as an associate in 2010. I worked as an associate at Latham until 2013, when I left Latham to work as a judicial law clerk for the Honorable Todd M. Hughes of the U.S. Court of Appeals for the Federal Circuit. I completed my clerkship in 2014 and rejoined Latham thereafter.

6. I am a member of Latham’s intellectual property group, with a focus on patent litigation, where I have practiced for approximately five years.

7. I have been actively involved in the related district court litigation between the Patent Owner and Petitioner, *Global Touch Solutions, LLC v. Apple Inc.*, No. 3:15-cv-2748 (N.D. Cal.) since August 2014.

8. U.S. Patent No. 7,329,970 (“’970 Patent”), which is at issue in this proceeding, was one of the patents asserted by the Patent Owner in the district court litigation. I have been actively involved in all aspects of the litigation, including Petitioner’s factual investigation and development of its invalidity and claim construction positions regarding the claims of the ’970 Patent at issue here.

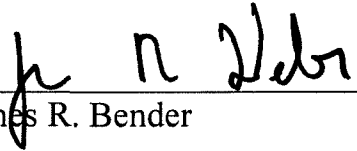
9. I have also been actively involved in analyzing and assisting with the Petition for *Inter Partes* Review submitted in this proceeding.

10. I am concurrently applying to appear *pro hac vice* in the following related proceedings before the USPTO: Nos. IPR2015-01171, IPR2015-01172, IPR2015-01174, and IPR2015-01175. I have appeared *pro hac vice* in the

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following proceeding before the USPTO: *NVIDIA Corp. v. Samsung Elecs. Co., Ltd.*, No. IPR2015-01324.

Executed on May 11, 2016 in Washington, D.C.



James R. Bender