

Filed on behalf of: Gold Standard Instruments, LLC

Paper \_\_\_\_\_

By: Joseph A. Hynds, Lead Counsel  
R. Elizabeth Brenner-Leifer, Back-up Counsel  
Jason M. Nolan, Back-up Counsel  
ROTHWELL, FIGG, ERNST & MANBECK, P.C.  
607 14th Street, N.W., Suite 800  
Washington, DC 20005  
Phone: 202-783-6040  
Facsimile: 202-783-6031  
Emails: jhynds@rothwellfigg.com  
ebrenner@rothwellfigg.com  
jnolan@rothwellfigg.com

Date filed: July 17, 2015

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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US ENDODONTICS, LLC,  
Petitioner,

v.

GOLD STANDARD INSTRUMENTS, LLC,  
Patent Owner.

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Case IPR2015-01476  
Patent 8,727,773 B2

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**DECLARATION OF DEREK F. DAHLGREN IN SUPPORT OF  
PATENT OWNER'S MOTION FOR ADMISSION *PRO HAC VICE***

Mail Stop PATENT BOARD  
Patent Trial and Appeal Board  
U.S. Patent & Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

I, Derek F. Dahlgren, declare as follows:

1. I have been practicing in the field of intellectual property, and particularly, patent litigation, for approximately five years.

2. I am a member in good standing of the Bars of the District of Columbia and the State of Virginia. I am admitted to practice in the United States District Court for the District of Columbia. I am also admitted to practice in the United States Court of Appeals for the Federal Circuit.

3. I served as a law clerk to then-Chief Judge Randall R. Rader at the United States Court of Appeals for the Federal Circuit from 2013-2014.

4. I am a member of the Giles S. Rich American Inn of Court. The D.C. Inn is devoted to the practice of intellectual property law.

5. I have been in private practice and litigating patent cases since 2010, except for a one year period during my clerkship at the Federal Circuit. I also served as a full-time law clerk working on various patent matters under the supervision of attorneys from 2007 until my graduation from law school in February 2010.

6. I have never been suspended or disbarred from practice before any court or administrative body.

7. I have never had a court or administrative body deny my application for admission to practice.

8. No sanctions or contempt citations have ever been imposed against me by any court or administrative body.

9. I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials, as set forth in Part 42 of 37 C.F.R.

10. I agree to 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). I also agree to be subject to the USPTO Rules of Professional Conduct as set forth in Changes to Representation of Others Before the United States Patent and Trademark Office; Final Rule, 78 Fed. Reg. 20180 (Apr. 3, 2013) (effective May 3, 2013).

11. In the past three (3) years, I have been admitted *pro hac vice* in the following proceeding before the United States Patent and Trademark Office:

- *Unverferth Manufacturing Co., Inc. v. J&M Manufacturing Co., Inc.*, IPR2014-00758.

12. I am familiar with the subject matter at issue in this proceeding. I am counsel in the *Dentsply International, Inc. and Tulsa Dental Products LLC v. US*

*Endodontics, LLC* patent infringement litigation (Case No. 2:14-cv-00196-JRG-DHI), which is pending in the United States District Court for the Eastern District of Tennessee and involves the same patent at issue in this proceeding.

13. 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 are 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 U.S. Patent No. 8,727,773.

Date: July 16, 2015

By: \_\_\_\_\_



Derek F. Dahlgren  
ROTHWELL, FIGG, ERNST &  
MANBECK, P.C.  
607 14th St., N.W., Suite 800  
Washington, DC 20005  
Phone: 202-783-6040  
Facsimile: 202-783-6031  
Email: ddahlgren@rothwellfigg.com

**CERTIFICATE OF SERVICE**

I hereby certify that on this July 17, 2015, a true and correct copy of the foregoing DECLARATION OF DEREK F. DAHLGREN IN SUPPORT OF PATENT OWNER'S MOTION FOR ADMISSION *PRO HAC VICE* was served, via electronic mail upon the following counsel for Petitioner US Endodontics, LLC:

Jeffrey S. Ginsberg, Esq.  
Matthew G. Berkowitz, Esq.  
Eric T. Schreiber, Esq.  
Kenyon & Kenyon LLP  
One Broadway  
New York, NY 10004  
Phone: 212-425-7200  
Facsimile: 212-425-5288  
Emails: [jginsberg@kenyon.com](mailto:jginsberg@kenyon.com)  
[mberkowitz@kenyon.com](mailto:mberkowitz@kenyon.com)  
[eschreiber@kenyon.com](mailto:eschreiber@kenyon.com)

/ Erik van Leeuwen /  
Erik van Leeuwen  
Litigation Operations Coordinator  
Rothwell, Figg, Ernst & Manbeck, P.C.