

DECLARATION OF DAVID A. SKEELS

I, David A. Skeels, declare as follows:

1. I make this declaration in support of a motion to be admitted *pro hac vice* as backup counsel for the patent owner in *inter partes* review no. IPR2016-00079.
2. I am a member in good standing of the State Bar of Texas, the bars of the United States Court of Appeals for the Federal Circuit, the Supreme Court of the United States, and several other federal courts.
3. I have never been suspended or disbarred from practice before any court or administrative body.
4. I have never had an application for admission to practice before any court or administrative body denied.
5. I have never been sanctioned or cited for contempt by any court or administrative body.
6. I have read and agree to comply with the Office Patent Trial Practice Guide and the Board's Rule of Practice for Trials set forth in part 42 of the Code of Federal Regulations.

7. I submit to be subject to the PTO's code of professional responsibility set forth in 37 C.F.R. §§ 10.20 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

8. I was admitted *pro hac vice* into PTO proceeding IPR2012-00001 (JL) on December 26, 2012.

9. I have an established familiarity with the subject matter of this review as a result of having been lead counsel for the plaintiff in litigations of the patent under review, U.S. Patent No. 7,241,034 B2 ("the '034 patent"). Specifically, I have been lead counsel for Adaptive Headlamp Technologies, Inc., the owner of the '034 patent, in the following cases:

- (a) *Adaptive Headlamp Technologies, Inc. v. BMW of North America, LLC*, Civil Action No. 1:14cv00962, pending in the District of Delaware.
- (b) *Adaptive Headlamp Technologies, Inc. v. FCA US LLC, Maserati North America, Inc. & Fiat Chrysler Automobiles N.V.*, Civil Action No. 1:15cv00073, pending in the District of Delaware.
- (c) *Adaptive Headlamp Technologies, Inc. v. General Motors LLC*, Civil Action No. 1:15cv00781, pending in the District of Delaware.
- (d) *Adaptive Headlamp Technologies, Inc. v. Hyundai Motor America*, Civil Action No. 1:15cv00563, pending in the District of Delaware.
- (e) *Adaptive Headlamp Technologies, Inc. v. Mazda Motor of North America, Inc.*, Civil Action No. 1:15cv00782, pending in the District of Delaware.

- (f) *Adaptive Headlamp Technologies, Inc. v. Mercedes-Benz USA LLC*, Civil Action No.1:15cv00075, pending in the District of Delaware.
- (g) *Adaptive Headlamp Technologies, Inc. v. Nissan North America Inc.*, Civil Action No. 1:15cv00074, pending in the District of Delaware.
- (h) *Adaptive Headlamp Technologies, Inc. v. Toyota Motor Sales, U.S.A., Inc.*, Civil Action No. 1:15cv00779, pending in the District of Delaware; and
- (i) *Adaptive Headlamp Technologies, Inc. v. Volvo Cars of North America, LLC*, Civil Action No. 1:15cv00780, pending in the District of Delaware.

My experience in these cases has provided me with a knowledge of the '034 patent, the prior art cited in the petition, and the patentability issues in this review.

I 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 statement and the like so made are punishable by fine or imprisonment, or both under Section 1001 of the Title 18 of the United States Code, and that such willful false statements may jeopardize the validity or enforceability of the '034 patent.

Date: Nov. 13, 2015

By: 

David A. Skeels