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Filed on behalf of Intel Corporation
By: Grant K. Rowan, Reg. No. 41,278
Yung-Hoon Ha, Reg. No. 56,368
Wilmer Cutler Pickering Hale and Dorr LLP
1875 Pennsylvania Ave., NW
Washington, DC 20006
Tel: (202) 663-6000
Email: Grant.Rowan@wilmerhale.com
Yung-Hoon.Ha@wilmerhale.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTEL CORPORATION
Petitioner

v.

DSS Technology Management, Inc.
Patent Owner

Case IPR2016-00290

**UPDATED DECLARATION OF LOUIS W. TOMPROS IN SUPPORT OF
MOTION FOR ADMISSION *PRO HAC VICE***

Intel v. DSS

I, Louis W. Tompros, declare as follows:

1. I am a partner at the law firm of Wilmer Cutler Pickering Hale and Dorr LLP in Boston, Massachusetts.
2. I have been practicing law for more than twelve years. My practice during that time has focused on intellectual property litigation, and particularly, patent litigation.
3. I am a member in good standing of the Bar of the Commonwealth of Massachusetts, and am admitted to practice before the United States Court of Appeals for the Federal Circuit, the United States Supreme Court, the United States Court of Appeals for the First Circuit, the United States Court of Appeals for the Seventh Circuit, and the United States District Court for the District of Massachusetts.
4. My Massachusetts Bar membership No. is 657791.
5. I have represented parties in patent litigation cases in the District of Massachusetts, the Eastern District of Texas, the District of Delaware, the Northern, Central, Eastern, and Southern Districts of California, the District of Minnesota, and the International Trade Commission, among other jurisdictions. Those cases have involved, among other issues, issues involving Patent Office rules, regulations, and procedures, including inventorship disputes, inequitable conduct, prosecution history disclaimer,

and other issues for which review of a patent's prosecution history is critical. *See, e.g., General Electric Company v. Wilkins*, No 1:10-cv-00674-LJO-JLT (E.D. Cal.) (involving disputed inventorship); *Qualcomm, Inc. v. Broadcom Corporation*, No. 3:05-cv-1958 (S.D. Cal.) (involving allegations of inequitable conduct).

6. I have represented parties in patent appeals to the United States Court of Appeals for the Federal Circuit in twenty-nine cases. Two of those cases were appeals from the Patent Trial and Appeal Board ("the Board")—*In re Thomas G. Packard*, No. 13-1204 (PTAB No. 12/004,324), and *In re Klein*, 647 F.3d 1343, No. 2010-1411 (BPAI No. 10/2007,747). I was lead counsel in the *Klein* and *Packard* cases.
7. I have, on *pro hac vice* admission, represented parties in *inter partes* reexamination matters before the Board in three matters, Reexam Control Nos. 95/000,580, 95/000,633, and 95/001,272.
8. I have never been suspended, disbarred, sanctioned or cited for contempt by any court or administrative body.
9. On November 7, 2013, the Patent Office denied my petition to be admitted *pro hac vice* as backup counsel in *inter partes* reexamination proceeding Control No. 95/001,272. However, upon a petition for reconsideration, the Board subsequently admitted me *pro hac vice* in those proceedings in its

decision dated December 12, 2013. In addition, on August 9, 2016, the Patent Office denied my motion to be admitted *pro hac vice* in this instant proceeding and Case Nos. IPR2016-00287, IPR2016-00288 and IPR2016-00289 for inadvertently omitting averments required by the '639 Order, part 2(b), paragraphs ii and iv.

10. I have read and will comply with Office Patent Trial Practice guide and the Board's Rules of Practice for Trials, as set forth in 37 C.F.R. Part 42.
11. I agree to be subject to the United States Patent and Trademark Office 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).
12. In the past three years, I have appeared *pro hac vice* before the United States Patent and Trademark Office in the following proceedings: Control Nos. 95/000,580, 95/000,633, and 95/001,272. Petitioner Intel Corp. has moved for my admission *pro hac vice* in Case Nos. IPR2016-00287, IPR2016-00288, IPR2016-00289 and IPR2016-290 on March 25, 2016 ,which was denied as explained above. Petitioner Intel Corp. has moved for my admission *pro hac vice* in Case Nos. IPR2016-00287, IPR2016-00288 and IPR2016-00289 concurrently with this motion.

13. I am familiar with the subject matter at issue in this proceeding. I participated in the drafting of the Petition filed in this proceeding, and I have reviewed the papers filed in this proceeding.
14. I have represented Intel Corporation in multiple patent-related matters, including the following United States District Court cases: *DSS Tech. Mgmt., Inc. v. Intel Corp. et al.*, 6:15-CV-130-JRG (E.D. Tex.), which is related to and involves the same patent at issue in this proceeding; *Power Management Solutions LLC v. Intel Corporation et al*, 1:11-cv-00743 (D. Del.); and *Power Management Solutions LLC v. Intel Corporation*, 13-1457 (Fed. Cir.).
15. 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 are punishable by fine, imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

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