

DECLARATION OF HAROLD H. DAVIS, JR.

I, Harold H. Davis, Jr., do hereby declare as follows:

1. I am a member in good standing of the Bar of California (admitted in 2005), the Bar of Florida (admitted in 1999), the Bar of Maryland (admitted in 1999), the Bar of the District of Columbia (admitted in 2000), the Bar of Illinois (admitted in 2003), the Bar of Tennessee (admitted in 2005) as well as the following federal courts:
 - a. U.S. Court of Appeals for the Federal Circuit
 - b. U.S. Court of Appeals for the Ninth Circuit
 - c. U.S. District Court for the Central District of California
 - d. U.S. District Court for the Northern District of California
 - e. U.S. District Court for the Eastern District of Texas
 - f. U.S. District Court for the District of the District of Columbia
 - g. U.S. District Court for the District of Maryland
 - h. U.S. District Court for the Northern District of Illinois
 - i. U.S. District Court for the Central District of Illinois
 - j. U.S. District Court for the Western District of Tennessee
2. I am a partner at K&L Gates LLP. I am an experienced patent litigation attorney with more than sixteen years of experience. In that time, I have

served as counsel in numerous patent infringement lawsuits in district courts across the country, before the International Trade Commission, and at the Court of Appeals for the Federal Circuit.

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 had no sanctions or contempt citations imposed against me by any court or administrative body.
6. 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 37 C.F.R.
7. 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).
8. I have not previously applied to appear *pro hac vice* in any other proceeding before the Board.
9. I am very familiar with the subject matter at issue in this proceeding, and particularly with the patent-at-issue in this proceeding, U.S. Patent No. 8,841,778 ("the '778 patent").

10. I am currently representing Petitioner SK hynix Inc. in a parallel litigation in the United States District Court for the District of Delaware (Civil Action No. 14-cv-1432), which involves the '778 patent.
11. As counsel for Petitioner SK hynix Inc. in the parallel litigation, I have been actively involved with all aspects of the district court case, including aspects concerning the invalidity of the '778 patent.
12. I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true. I understand that willful false statements are punishable by fine or imprisonment or both. *See* 18 U.S.C. § 1001.

Date: September 30, 2016

Respectfully submitted,

/s/ Harold H. Davis, Jr.

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