

IPR2016-00422
PATENT NO. 7,489,786

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TOYOTA MOTOR CORPORATION
Petitioner

v.

BLITZSAFE TEXAS, LLC
Patent Owner

Patent No. 7,489,786
Issue Date: February 10, 2009
Title: AUDIO DEVICE INTEGRATION SYSTEM

**DECLARATION OF ALFRED R. FABRICANT IN SUPPORT OF
BLITZSAFE TEXAS, LLC'S MOTION FOR *PRO HAC VICE* ADMISSION
OF ALFRED R. FABRICANT PURSUANT TO 37 C.F.R. § 42.10**

Case No. IPR2016-00422

I, Alfred R. Fabricant, declare as follows:

1. I have been practicing in the field of patent litigation for over 20 years. I have been lead counsel in over 30 patent cases over my career.
2. I am a member in good standing of the Bar of the State of New York and the Bar of the State of Arizona. I am admitted to practice in the United States District Courts for the Southern District of New York, the Eastern District of New York, the District of Arizona, and the Eastern District of Texas; the United States Courts of Appeal for the Federal Circuit, the Second Circuit, and the Fourth Circuit; and the United States Supreme Court.
3. I have never been suspended, disbarred, sanctioned, or cited for any contempt by any court or administrative body.
4. I have never had a court or administrative body deny my application for admission to practice.
5. 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 the Code of Federal Regulations.
6. I agree to be subject to the United States Patent and Trademark Office Code of Professional Responsibility set forth in 37 C.F.R. §§ 11.101, *et seq.*, and disciplinary jurisdiction under 37 C.F.R. § 11.19(a) and 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).

7. In the past three (3) years, I have not been admitted *pro hac vice* in any proceedings before the United States Patent and Trademark Office. I submitted a declaration in connection with a motion for *pro hac vice* admission in IPR2016-00118. That motion is still pending. I am also submitting declarations in connection with motions for *pro hac vice* admission in the following *inter partes* review proceedings: IPR2016-00418, -00419, and -00421. I plan to submit those declarations and motions simultaneously with the instant declaration.

8. I am familiar with the subject matter at issue in this proceeding. I am lead counsel for the patent owner, Blitzsafe Texas, LLC, in five related patent infringement matters involving the patent at issue in this proceeding, U.S. Patent No. 7,489,786, and a related patent. Those matters are *Blitzsafe Texas, LLC v. Hyundai Motor Company, et al.*, No. 15-cv-01275-JRG (E.D. Tex.); *Blitzsafe Texas, LLC v. Honda Motor Co., Ltd., et al.*, No. 15-cv-01274-JRG (E.D. Tex.); *Blitzsafe Texas, LLC v. Volkswagen Group of America, Inc. et al.*, No. 15-cv-01278-JRG (E.D. Tex.); *Blitzsafe Texas, LLC v. Nissan Motor Co., Ltd., et al.*, 15-cv-01276-JRG (E.D. Tex.); and *Blitzsafe Texas, LLC v. Toyota Motor Corporation et al.*, No. 15-cv-01277-JRG (E.D. Tex.) (“the Texas Litigations”).

9. I hereby declare 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. 7,489,786.

Respectfully submitted,

By: _____



Dated January 21, 2016

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CERTIFICATE OF SERVICE UNDER 37 C.F.R. § 42.6(e)(4) & 42.105(b)

A copy of the DECLARATION OF ALFRED R. FABRICANT IN
SUPPORT OF BLITZSAFE TEXAS, LLC'S MOTION FOR *PRO HAC VICE*
ADMISSION OF ALFRED R. FABRICANT PURSUANT TO 37 C.F.R. § 42.10
has been served on Petitioner at the correspondence of the Petitioner as follows:

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January 21, 2016

By: /Peter Lambrianakos/

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