

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CANON, INC., *et al.*
Petitioners

v.

PAPST LICENSING GMBH & CO., KG
Patent Owner

CASE: IPR2016-1211
Patent No. 8,504,746

**DECLARATION OF RACHEL CAPOCCIA IN SUPPORT OF
PETITIONER'S MOTION FOR ADMISSION
PRO HAC VICE OF RACHEL CAPOCCIA
PURSUANT TO 37 C.F.R. § 42.10**

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

I, Rachel Capoccia, declare as follows:

1. I am an experienced litigation attorney with more than twenty (20) years of experience.
2. I have been litigating patent cases for approximately seventeen (17) years.
3. I am a member in good standing of the California State Bar and am admitted to practice in the United States Court of Appeals for the Federal Circuit, United States Court of Appeals for the Ninth Circuit, the United States District Courts for the Central, Northern, Southern, and Eastern Districts of California and the United States District Court for the Eastern District of Texas.
4. I have never been suspended or disbarred from practice before any court or administrative body.
5. I have never had an application for admission to practice before any court or administrative body denied.
6. I have had no sanctions or contempt citations imposed against me by any court or administrative body.
7. I am familiar with the subject matter at issue in this proceeding, including the patent-at-issue. I am lead counsel for JVC KENWOOD Corporation and Panasonic Corporation (and related corporate entities) in the pending district court case *In re: Papst Licensing Digital*

Camera Patent Litigation – MDL No. 1880, Case No. 07-mc-00493 (D.D.C.), which has been pending since 2007 and involves the same patent at issue in this proceeding, as well as related patents in the same family (including another patent that is the subject of additional instituted Inter Partes Review proceedings).

8. I have been actively involved in all aspects of the pending district court case, including proceedings related to issues of invalidity of all patents-in-suit, and arguing on behalf of all defendants in claim construction proceedings with respect to other related patents-in-suit in 2008, and with respect to this patent *and* other related patents-in-suit in 2016. I also argued on behalf of all defendants at the Federal Circuit regarding Papst’s appeal of the District Court’s non-infringement summary judgment rulings regarding related patents at issue in the District Court case.

9. 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.

10. I agree to be subject to the USPTO Code of Professional Responsibility set forth in 37 C.F.R. §§10.20 et seq., and to disciplinary jurisdiction under 37 C.F.R. §11.19(a).

11. I have not previously applied to appear *pro hac vice* before the Office.

12. 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.

Dated: March 24, 2017

By: /Rachel Capoccia/
Rachel Capoccia

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, the undersigned certifies that on March 27, 2017, a copy of the foregoing **DECLARATION OF RACHEL CAPOCCIA IN SUPPORT OF PETITIONER'S MOTION FOR ADMISSION PRO HAC VICE OF RACHEL CAPOCCIA PURSUANT TO 37 C.F.R. § 42.10** has been served in its entirety by e-mail on the following addresses of record for Petitioner:

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