

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

YMAX CORPORATION
Petitioner

v.

FOCAL IP, LLC
Patent Owner

Case No. IPR2016-01256
U.S. Patent No. 8,155,298

AFFIDAVIT OF ALEXANDER WALDEN

YMax Exhibit 1028

1. I, Alexander Walden, am more than twenty-one years of age, am competent to present this affidavit, and have personal knowledge of the facts set forth herein.

2. This affidavit is given in support of Petitioner YMax Corporation's ("YMax") Motion for *Pro Hac Vice* Admission of Alexander Walden.

3. I am an associate at the law firm Bryan Cave LLP. I am an experienced litigating attorney and have been litigating cases for more than seven years. I have also been litigating patent cases for six years.

4. I am a member in good standing of the State Bar of New York. I have never been suspended or disbarred from practice before any court or administrative body. No court or administrative body has ever denied my application for admission to practice before it. No court or administrative body has ever imposed sanctions or contempt citations on me.

5. 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 the Code of Federal Regulations.

6. I understand that I will 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).

7. I was admitted *pro hac vice* in Case No. IPR2016-01433 on June 19, 2017 (Paper No. 15), in Case No. IPR2015-01892 on May 10, 2016 (Paper No. 18), and in Case IPR2014-00090 on October 30, 2014 (Paper No. 28), both proceedings involving the Petitioner. I also requested *pro hac vice* admission in Case IPR2014-00088 (Paper No. 27), which was a then co-pending proceeding with IPR2014-00090. In Case IPR2014-00088, the Board indicated during a conference call that it had no objection to the *pro hac vice* admission, but a written Order was not issued in that proceeding. I am also requesting *pro hac vice* admission in two related IPR proceedings, Case Nos. IPR2016-01258 and IPR2016-01260, involving the same parties. I have not applied to appear in any other proceedings before the Office in the last three (3) years.

8. I have an established familiarity with the subject matter at issue in this proceeding. I have litigated patent cases in the area of electrical engineering, computer science and electronic devices since at least 2009. I began representing and advising Patent Owner YMax in matters relating to patent strategy in early 2017. Since that time, I have become very familiar with U.S. Patent No. 8,155,298 and with its prosecution file history. In particular, I have assisted YMax in preparing its reply to the patent owner's response as well as other submissions in the above-referenced proceeding.



Alexander Walden

Sworn to and subscribed before me
this 7th day of July, 2017



Notary Public

SHEILA FREEMAN
Notary Public, State of New York
No. 01FR4756733
Qualified in Bronx County
Commission Expires February 28, 2019