

I, Michael Ng, declare under penalty of perjury the following:

1. I am an attorney at Kobre & Kim LLP, 150 California, 19th Floor, San Francisco, California 94111, which has been retained by Patent Owner Rosetta-Wireless Corporation in this *inter partes* review.

2. I make this affidavit in support of Patent Owner's application for my admission *pro hac vice*.

3. I am a member in good standing of the bars in California and New York. I am a member in good standing, in inactive status, of the bar of Mississippi. I am also duly admitted and authorized to practice law before the United States District Court for the Northern District of California, United States District Court for the Eastern District of California, United States District Court for the Central District of California, United States District Court for the Southern District of California, United States District Court for the Eastern District of Texas, United States District Court for the Northern District of Mississippi, United States District Court for the Southern District of Mississippi, United States District Court for the Southern District of New York, United States Court of the Appeals for the Second Circuit, United States Court of the Appeals for the Fifth Circuit, United States Court of the Appeals for the Ninth Circuit, United States Court of the Appeals for the Federal Circuit, and United States Supreme Court.

4. I have not had any application denied for admission to practice, nor

have I been sanctioned, cited for contempt, suspended or disbarred from practice, before any court or administrative body.

5. If admitted pro hac vice in this matter, I will serve as counsel with Miranda Y. Jones and Michael F. Heim of the law firm of Heim, Payne & Chorush, L.L.P. Ms. Jones is lead counsel on this case and is registered to practice before the United States Patent and Trademark Office (“USPTO”).

6. I understand that, upon admission pro hac vice, I will be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 et seq. and to disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

7. 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 C.F.R.

8. I hereby agree to notify the Board immediately of any matter affecting my standing at the bar of any other Court.

9. I have applied to appear pro hac vice before the Office in the last three years in *Apple Inc., Samsung Electronics Co. Ltd., and Samsung Electronics America, Inc., Petitioner, v. Rosetta-Wireless Corporation, Patent Owner* (IPR2016-00616) and in *Samsung Electronics Co. Ltd., Samsung Electronics America, Inc., and Apple Inc., Petitioners, v. Rosetta-Wireless Corporation, Patent Owner*. (IPR 2016-00622), proceedings concerning the same patent at issue.

10. I have an established familiarity with the subject matter at issue in this

proceeding, having represented Patent Owner as lead counsel in District Court proceedings involving the same technology (*Rosetta-Wireless Corp. v. Apple Inc. et al.*, Lead Case No. 15-cv-00799, (N.D. Ill) and *Rosetta-Wireless Corp. v. LG Electronics Co. and LG Electronics USA Inc.*, No. 15-cv-10608, (N.D. Ill)). I have carefully studied the patent-in-suit, including its prosecution history, and have conducted many interviews with the inventors regarding their invention, the prosecution history and the patent. I am intimately familiar with the positions taken by the petitioners and the other defendants in the above litigation, and have provided counsel to the inventors in connection with litigation involving a foreign counterpart in the United Kingdom. More generally, I am an experienced patent litigator, having litigated dozens of patent infringement cases, for both plaintiffs and defendants, at both the district court and Federal Circuit levels. I have, for example, served as lead trial and appellate counsel for the Australian national science agency, Commonwealth Scientific and Industrial Research Organisation, including in the currently pending *CSIRO v. Cisco*, Eastern District of Texas Case No. 6-11-cv-343.

11. I hereby respectfully request that the Board grant Patent Owner Rosetta-Wireless Corporation's application to permit me to appear and participate *pro hac vice* in this proceeding.

12. I understand that willful false statements and the like are punishable

by fine or imprisonment, or both, under 18 U.S.C. § 1001, and may jeopardize the validity of the application or any patent issuing thereon. I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 13, 2016

/s/ Michael Ng  
Michael Ng