

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

LIMESTONE MEMORY SYSTEMS LLC,
Patent Owner.

Case IPR2016-01567
Patent 5,894,441

AFFIDAVIT OF ROSE CORDERO PREY IN SUPPORT OF
MOTION FOR *PRO HAC VICE* ADMISSION

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
Submitted Electronically via the PTAB E2E

Apple – Ex. 1024

1. I, Rose Cordero Prey, 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 Apple Inc.'s Motion for *Pro Hac Vice* Admission of Rose Cordero Prey under 37 C.F.R. § 42.10(c).

3. I am a partner at the law firm of Andrews Kurth Kenyon LLP.

4. I am an experienced litigation attorney and have been litigating patent cases for over 10 years. I have experience litigating patent infringement cases in many district courts and before the U.S. International Trade Commission. I have been counsel at trial, hearings, and with respect to patent-related summary judgment proceedings and other patent-related hearings and pleadings concerning, *inter alia*, patent validity, claim construction, and infringement issues.

5. I received a Bachelor's of Science degree in Mathematics with a minor in Physics in 2001, and I have several years of experience litigating patents specifically directed to semiconductor circuitry and device technology (the design, fabrication and use thereof).

6. I am trial counsel for Petitioner Apple Inc. in co-pending district court litigation filed by the Patent Owner, *Limestone Memory Systems LLC v. Apple Inc.*, Civil Action No. 8:15-cv-01274, filed August 10, 2015, in the U.S. District Court for the Central District of California. That case involves the same patent at issue in

this proceeding (U.S. Patent No. 5,894,441 or “the ’441 patent”).

7. I have been actively involved in all aspects of the aforementioned district court litigation, including Petitioner’s factual investigation and development of its non-infringement, invalidity and other positions regarding the claims of the ’441 patent, and have consequently gained in-depth familiarity with the subject matter at issue in this proceeding.

8. I have stayed up-to-date regarding the documents filed and actions taken to date in the present matter, Case IPR2016-01567, was involved in the preparation of Petitioner’s petition, and have carefully reviewed it.

9. I am a member in good standing of the State Bar of New York, as well as the following Federal Courts:

United States District Court for the Eastern District of New York;

United States District Court for the Southern District of New York;

United States Court of Appeals for the Federal Circuit.

10. I have never been suspended or disbarred from practice before any court or administrative body.

11. I have never made an application for admission to practice before any court or administrative body that has been denied.

12. No sanctions or contempt citations have been imposed against me by any court or administrative body.

13. 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 Title 37 of the Code of Federal Regulations.

14. I understand that I will be subject to the USPTO Rules of Professional Conduct as set forth in 37 C.F.R. §§ 11.101 *et. seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

15. I have applied to appear *pro hac vice* in one proceeding before the United States Patent and Trademark Office in the last three (3) years: IPR2015-01087.

16. I 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 were 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.

Executed on October 18, 2016



Rose Cordero Prey