

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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KINGSTON TECHNOLOGY COMPANY, INC.,  
Petitioner

v.

POLARIS INNOVATIONS LTD.,  
Patent Owner

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Case IPR2016-01622  
Patent 6,850,414 B2

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**DECLARATION OF NATHAN NOBU LOWENSTEIN  
IN SUPPORT OF PATENT OWNER POLARIS INNOVATIONS LTD.'S  
MOTION FOR *PRO HAC VICE* ADMISSION  
OF NATHAN NOBU LOWENSTEIN  
UNDER 37 C.F.R. § 42.10(c)**

Polaris Innovations Ltd. Exhibit 2005

I, Nathan Nobu Lowenstein, declare as follows:

1. I am an attorney licensed to practice law in the State of California.
2. I am a member in good standing in all jurisdictions where I have been admitted to practice.
3. I have never been suspended or disbarred from practice before any court or administrative body.
4. I have never had an application denied for admission to practice before any court or administrative body.
5. I have never had any sanctions or contempt citations imposed upon me by any court or administrative body.
6. 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.
7. I agree to be subject to the U.S.P.T.O. 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).
8. I am a partner at the law firm of Lowenstein & Weatherwax LLP.
9. I have practiced law in California for the past eleven years, and the majority of my practice has consisted of patent litigation and other patent related matters such as PTAB litigations. Representative patent

litigations where I have been actively involved as patent litigation counsel include *Tessera, Inc. v. Micron Technology, Inc. et al.*, 2:05-cv-00094-JDL (E.D. Tex.); *St. Jude Medical, Inc., et al. v. Access Closure, Inc.*, 4:08-cv-04101 (W.D. Ark.); *Microprocessor Enhancement Corp. v. Texas Instruments Inc.*, 8:08-cv-01123 (C.D. Cal.); and *Quantum World Corp. v. Atmel Corp. et al.*, 2:07-cv-00024 (E.D. Tex.).

10. My experience in post grant patent proceedings includes drafting patent owner responses, taking and defending depositions, and presenting oral arguments before the Board. Representative matters where I was actively involved include *Microsoft Corp. v. IpLearn Focus, LLC* (IPR2015-00095 thru -097); matters involving Maxim Integrated Products, Inc. (CBM2014-00038 thru -041, -00177 thru -00180); matters involving Solocron Media, LLC (IPR2015-00387 thru -00392, -00349 thru -00350, -00342, -00364, -00376, -00380, -00383); *Nissan North America, Inc. v. Diamond Coating Technologies, LLC* (IPR2014-01545 thru -01548); *Hyundai Motor America, Inc. et al. v. Diamond Coating Technologies, LLC* (IPR2014-01549, -01553); and *Intel Corp. v. Future Link Systems LLC* (IPR2016-01398, IPR2016-01401 and IPR2016-1402).

11. I plan to submit a declaration and application, concurrent with this application, to appear *pro hac vice* in the related matters IPR2016-01621 and IPR2016-01623, as well as two other matters IPR2017-00114 and IPR2017-00116 filed by Petitioner in this matter against Patent Owner in this matter.
12. I am also admitted to appear *pro hac vice* in the currently pending matters *Intel Corp. v. Future Link Systems, LLC*, IPR2016-01398, IPR2016-01401 and IPR2016-01402. I applied to appear *pro hac vice* in the related case *Intel Corp. v. Future Link Systems, LLC*, IPR2016-01400, but before my application was ruled upon, institution of review in that case was denied. *Id.*; see IPR2016-01400, Paper 8 (P.T.A.B. Jan. 10, 2017) (decision denying institution).
13. I was admitted to appear *pro hac vice* by this Board in the former matters *Microsoft Corp. v. IpLearn Focus, LLC*, IPR2015-00095, -00097, in each of which I participated actively from beginning to end, took testimony and defended witnesses in deposition, and presented argument at the oral hearing. See IPR2015-00095, Exs. 2010 & 2030 (deposition transcripts) & Paper 32 (oral hearing); IPR2015-00097, Exs. 2008 & 2030 (deposition transcripts) & Paper 32 (oral hearing).

14. Other than matters identified in ¶¶ 11-13, *supra*, I have not applied to appear *pro hac vice* in any other proceedings before the U.S.P.T.O. in the last three years.
15. I have an established familiarity with the subject matter at issue in this proceeding. I have reviewed the Patent at issue, U.S. Patent No. 6,850,414, as well as four other patents for which Petitioner has filed a Petition for *Inter Partes* Review against Patent Owner (U.S. Patent Nos. 6,438,057, 7,315,454, 7,206,978, and 7,334,150). I have also reviewed the Petitions and the relevant art in the five proceedings. In addition, I materially participated in drafting of the Patent Owner Preliminary Responses in all five proceedings and, am therefore, intimately familiar with the factual and legal issues in these matters.
16. I have a power of attorney from Patent Owner that has been made of record in this proceeding. *See* Paper 5.

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