

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE, INC.,
Petitioner,

v.

REALTIME DATA LLC,
Patent Owner.

Case IPR2016-01738
Patent No. 8,880,862

**DECLARATION OF MICHAEL BITTNER IN SUPPORT OF
PETITIONER'S MOTION FOR *PRO HAC VICE* ADMISSION**

**DECLARATION OF MICHAEL BITTNER IN SUPPORT
OF PETITIONER'S MOTION FOR *PRO HAC VICE*
ADMISSION**

I, Michael Bittner, hereby declare the following:

1. I am a member in good standing of the state Bar for the State of Texas, as well as the United States Court of Appeals for the Federal Circuit, the Eastern District of Texas, and the Northern District of Texas.
2. I have not been suspended or disbarred from practice before any court or administrative body.
3. I have never had an application for admission to practice before any court or administrative body denied.
4. No sanction or contempt citation has been imposed against me by any court or administrative body.
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 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 am a litigation attorney with nearly a decade of experience representing clients in cases involving computer software. I regularly litigate cases before the United States Court of Appeals for the Federal Circuit, and various federal district

courts. Through my practice in such cases, I have gained substantial experience in jury trials, discovery, *Markman* hearings, and appeals. I also have a Bachelor of Arts degree in History and Humanities from the University of Texas. My biography is attached as Exhibit A.

8. I also have particular experience and familiarity with the substantive and technical issues involved in this Inter Partes Review proceeding. I have been involved in co-pending patent litigation brought by Patent Owner against Petitioner since its inception in October 2015. Over the past nineteen months years, I have invested substantial time on Petitioner's behalf on motion practice, discovery, and analysis of the patents-in-suit, including the patent for which review is sought in the instant proceeding.

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 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 and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Proceeding No.: IPR2016-01738
Attorney Docket: 39521-0025IP2

Respectfully submitted,

Date: May 23, 2017

/Michael A. Bittner /
Michael A. Bittner
Winston & Strawn LLP
2501 N. Harwood St., 17th Floor
Dallas, TX 75201
Tel: (214) 453-6500
Email: mbittner@winston.com



Michael A. Bittner

Partner
Dallas
+1 214-453-6464
mbittner@winston.com

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| Services | Brand Enforcement/ Trademark Litigation, Complex Commercial Litigation, IP/IT Transactions & Licensing, Patent Litigation, Trade Secrets |
| Sectors | Financial Services & Banking, Food, Beverage & Agriculture, Oil & Gas, Pharmaceuticals & Medical Devices, Technology & Telecommunications |
| Admissions | Texas |
| Education | The University of Texas at Austin, JD 2008 University of Texas, BA 2003 |

Michael Bittner is a partner in the firm's Dallas office whose practice is focused primarily on intellectual property litigation, with an emphasis on patent litigation. Mr. Bittner has experience representing clients in a wide variety of industries and technologies, including data management, electronic commerce, financial services, petrochemical engineering, robotics, and medical devices. Mr. Bittner has extensive experience managing complex patent cases for both patentees and defendants, including coordinating the largest joint defense effort in the in the history of the Eastern District of Texas (more than 400 defendants).

Mr. Bittner also has extensive experience in representing clients in other intellectual property disputes, including trademark, trade dress, and trade secret litigation in Texas and across the nation. He has represented both Fortune 500 and small-to-medium sized business in disputes ranging from fixed fee brand enforcement actions and multi-million dollar "bet the business" cases.

Prior to joining Winston, Mr. Bittner served as a principal in the Dallas office of another *Am Law* 100 firm.

Mr. Bittner received his B.A., with high honors, from the University of Texas in 2003, and he received his J.D., with honors, from University of Texas at Austin School of Law in 2008, where he was articles editor for *The Review of Litigation*.

Honors & Awards

- Rising Star in Intellectual Property Litigation for Texas *Super Lawyers* (2015-2017)