

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ROCKWELL AUTOMATION, INC., and ROCKWELL AUTOMATION  
TECHNOLOGIES, INC.,  
Petitioners

v.

AUTOMATION MIDDLEWARE SOLUTIONS, INC.  
Patent Owner

Case IPR2017-00048  
Patent 6,516,236  
Issue Date: February 4, 2003  
Title: MOTION CONTROL SYSTEMS

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**AFFIDAVIT IN SUPPORT OF MOTION FOR  
*PRO HAC VICE* ADMISSION OF KEVIN J. MALANEY  
37 C.F.R. § 42.10(c)**

***Mail Stop "PATENT BOARD"***  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

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1. I, Kevin J. Malaney, 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 submitted in support of the Petitioner, Rockwell Automation, Inc. and Rockwell Automation Technologies, Inc., for *Pro Hac Vice* Admission.

3. I am a member in good standing of the Bar of the State of Wisconsin.

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

5. I have never been denied admission to practice before any court or administrative body.

6. No court or administrative body has ever imposed sanctions or contempt citations against me.

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

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9. I have previously applied to appear *pro hac vice* in a proceeding before the Office in the last three (3) years. Currently my application for admission to appear *pro hac vice* in IPR2017-00023 is pending..

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

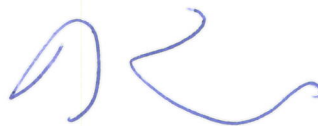
11. I am a member of the trial team in *Automation Middleware Solutions, Inc. v. Rockwell Automation, Inc., and Rockwell Automation Technologies, Inc.*, No. 2:15-cv-1269 (E. D. Tex.); *Automation Middleware Solutions, Inc. v. Invensys Systems, Inc.. et al.*, No. 2:15-cv-00898 (E. D. Tex.), which involve the same parties and the same U.S. Patent No. 6,516,236 and subject matter at issue in this proceeding.

12. I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true. I understand that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. § 1001).

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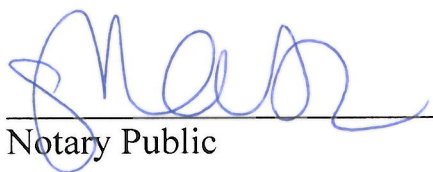
IPR2017-00048  
U.S. Patent No. 6,516,236



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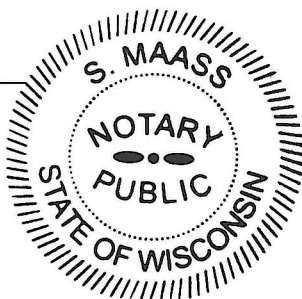
Kevin J. Malaney  
FOLEY & LARDNER LLP  
777 E. Wisconsin Avenue  
Milwaukee, WI 53202

Sworn to and subscribed before me  
this 3 day of November 2016.



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Notary Public



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