

**UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD**

KAWASAKI RAIL CAR, INC.
Petitioner,

v.

SCOTT BLAIR,
Patent Owner.

Case No. IPR2017-00117

Patent No. 6,700,602

Issue Date: March 2, 2004

Title: Subway TV Media System

DECLARATION OF MARK A. CHAPMAN

I, Mark A. Chapman, declare as follows:

1. This declaration is given in support of Petitioner Kawasaki Rail Car, Inc.'s Motion for *Pro Hac Vice* Admission of Mark A. Chapman under 37 C.F.R. § 42.10(c).
2. I am a partner at the law firm Andrews Kurth Kenyon LLP, where my practice focuses on patent-related matters, and in particular, patent litigation in a variety of technical fields.
3. If admitted *pro hac vice* in this matter, I will serve as back up counsel with Sheila Mortazavi, also of the law firm Andrews Kurth Kenyon LLP. Ms. Mortazavi is lead counsel and is a registered practitioner.
4. I have over 15 years of experience in the field of patent law. My practice focuses on patent litigation in district courts around the country, appeals at the Federal Circuit, and Patent Office proceedings, such as reexaminations and *inter partes* review proceedings.
5. The proceedings before the Patent Office for which I have applied to appear *pro hac vice* in the last three years are as follows:
 - a. Inter Partes Review Case No. IPR2015-01838
 - b. Inter Partes Review Case No. IPR2016-00291
 - c. Inter Partes Review Case No. IPR2016-00292
 - d. Inter Partes Review Case No. IPR2016-00293

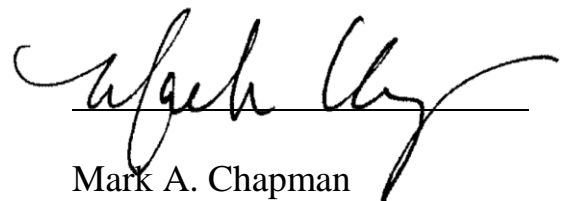
- e. Inter Partes Review Case No. IPR2016-01382
 - f. Inter Partes Review Case No. IPR2017-00336
 - g. Inter Partes Review Case No. IPR2017-00347
 - h. Inter Partes Review Case No. IPR2017-00353
 - i. Inter Partes Review Case No. IPR2017-00355
 - j. Inter Partes Review Case No. IPR2017-00357
6. I am a member in good standing of the New York Bar. 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.
7. I am familiar with the subject matter of this proceeding. In particular:
- a. I have reviewed the subject U.S. Patent No. 6,700,602 (Ex. 1001).
 - b. I have also reviewed the Petition (Paper No. 1), the prior art references at issue (Exs. 1005, 1009, 1011, 1021), and the declaration of Petitioner's expert (Ex. 1014).
 - c. I have also reviewed the Patent Owner's Preliminary Response (Paper No. 6), the Board's Institution Decision (Paper No. 11), the Patent Owner's Response (Paper No. 13), and the declaration and supplemental declaration of Patent Owner's expert (Exs. 2002, 2004).

- d. I have also reviewed the Petitioner's Reply (Paper No. 17) and the supplemental declaration of Petitioner's expert (Ex. 1025).
 - e. I have also reviewed the Patent Owner's Observations on the testimony of Petitioner's expert (Paper No. 22) and Petitioner's Motion to Exclude (Paper No. 23).
 - f. I have also reviewed the transcript of the deposition of Patent Owner's expert (Ex. 1026) and the transcript of the deposition of Petitioner's expert (Ex. 2006).
 - g. I have also discussed the strategy, arguments and evidence in this proceeding with Ms. Mortazavi. Based on my patent litigation experience, I am very familiar with the legal theories at issue in this case.
 - h. In addition, I also will be seeking *pro hac vice* admission to appear in Petitioner's co-pending proceeding against Patent Owner, Inter Partes Review Case No. IPR 2016-00136, in which a trial has been instituted against additional claims of the same patent at issue in this proceeding. I have discussed the strategy, arguments and evidence in that related proceeding with Ms. Mortazavi as well.
8. Given my familiarity with the subject matter of this proceeding, I have experience and expertise important to representing Petitioner in this matter.

9. 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.
10. I have read and will comply with and be subject to the United States Patent and Trademark Office 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).

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.

Dated: January 3, 2018



Mark A. Chapman