

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC. and FITBIT, INC.,
Petitioner

v.

VALENCELL, INC.
Patent Owner

Case No.: IPR2017-00319
Patent No. 8,923,941

**DECLARATION OF SAM STAKE IN SUPPORT OF MOTION FOR
ADMISSION *PRO HAC VICE* UNDER 37 C.F.R. § 42.10(c)**

I, Sam Stake, declare as follows:

1. I am a partner at the law firm of Quinn Emanuel Urquhart & Sullivan, LLP, and provide this declaration in support of Petitioner's Motion for my *pro hac vice* admission. I have personal knowledge of the matters set forth herein, and if called as a witness, I could testify competently thereto.
2. I have been practicing law for 12 years, since 2008, primarily in the field of intellectual property and, particularly, patent litigation.
3. I am a member in good standing of the Bar of the State of California. I am admitted to practice before the United States Courts of Appeals for the Federal Circuit and Ninth Circuit and the United States District Courts for the Northern District of California and the Central District of California.
4. I have never been suspended or disbarred by any court or administrative body. No court or administrative body has ever denied my application for admission to practice. No court or administrative body has ever sanctioned or imposed contempt citations on me.
5. I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials, as set forth in Part 42 of 37 C.F.R.
6. I agree to 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).

7. I have not applied to appear *pro hac vice* before the United States Patent and Trademark Office in any other proceeding in the past.
8. I am familiar with the subject matter at issue in this proceeding. In particular, I have spent considerable time reviewing U.S. Patent No. 8,923,941, the petition, all exhibits accompanying the petition, and all documents filed in this action. I have also reviewed the pertinent issues of claim construction that have been briefed in this proceeding.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date: September 3, 2020

/s/ Sam Stake
Sam Stake
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