

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD., and
SAMSUNG ELECTRONICS AMERICA, INC.
Petitioner

v.

IMAGE PROCESSING TECHNOLOGIES, LLC,
Patent Owner

Case IPR2017-00355
Patent 7,650,015 B2

**DECLARATION OF MICHAEL N. ZACHARY IN SUPPORT OF
PATENT OWNER'S MOTION FOR PRO HAC VICE
ADMISSION UNDER 37 C.F.R. §42.10(c)**

Exhibit 2004
IPR2017-00355

Petitioner - Samsung Electronics Co., Ltd., et al.

I, MICHAEL N. ZACHARY, declare as follows:

1. I am a partner at the law firm of Andrews Kurth Kenyon LLP, with offices located at One Broadway, New York, NY 10004, which has been retained by Patent Owner Image Processing Technologies, LLC in this inter partes review. My office is located at 1801 Page Mill Road, Suite 210, Palo Alto, CA 94304, but for convenience, for purposes of this IPR petition I can receive notices and be contacted through our New York office set forth above.
2. I make this declaration in support of the Patent Owner's application for my admission pro hac vice.
3. I am a member in good standing of the Bar in California, Oregon, and Washington State. I am also duly admitted and authorized to practice law before the U.S. District Court for the Central District of California, U.S. District Court for the Eastern District of California, U.S. District Court for the Northern District of California, U.S. District Court for the Southern District of California, U.S. District Court for the District of Colorado, U.S. District Court for the District of Oregon, U.S. District Court for the Eastern District of Texas, U.S. District Court for the Eastern District of Washington, and U.S. District Court for the Western District of Washington.

4. 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.
5. If admitted *pro hac vice* in this matter, I will serve as counsel with Chris Coulson, also of the law firm Andrews Kurth Kenyon. Mr. Coulson is lead counsel on this case and is registered to practice in this Court.
6. I understand that, upon admission *pro hac vice*, I will be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and to disciplinary jurisdiction under 37 C.F.R. § 11.19(a).
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 hereby agree to notify the Court immediately of any matter affecting my standing at the bar of any other Court.
9. I have appeared *pro hac vice* in the matters *Microsoft Corp. v. Bradium Techs. LLC*, IPR2015-01432; *Microsoft Corp. v. Bradium Techs. LLC*, IPR2015-01434; *Microsoft Corp. v. Bradium Techs. LLC*, IPR2015-01435; *Microsoft Corp. v. Bradium Techs. LLC*, 2016-00448; *Microsoft Corp. v. Bradium Techs. LLC*, IPR2016-00449; *Microsoft Corp. v. Bradium Techs. LLC*, 2016-01897; *Prism Pharma Co., Ltd., v. Choongwae Pharma Corp.*, IPR2014-00315; *Apple Inc., v. Limestone Memory Systems LLC*, IPR2016-

01561; *Apple Inc., v. Limestone Memory Systems LLC*, IPR2016-01567. I

have not applied to appear *pro hac vice* in any other matters before the Office in the last three years.

10. I have an established familiarity with the subject matter at issue in this proceeding, having represented Patent Owner against petitioner in an Eastern District of Texas court proceeding against Petitioner involving the same technology (*Image Processing Technologies, LLC v. Samsung Electronics Co., Ltd., et al.*, 2:16-cv-00505-JRG).

11. Motions for *Pro Hac Vice* Admission of Mr. Zachary are being concurrently filed in the following related *Inter Partes* Review proceedings:

- i. IPR2017-00347
- ii. IPR2017-00353
- iii. IPR2017-00336
- iv. IPR2017-00357

12. I hereby respectfully request that the Court grant Patent Owner Image Processing Technologies, LLC's application to permit me to appear and participate *pro hac vice* in this case.

13. I understand that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and may jeopardize the validity of the application or any patent issuing thereon. I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 14, 2017



MICHAEL N. ZACHARY