

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ruckus Wireless, Inc., Brocade Communication
Systems, Inc. and Netgear, Inc.,

Petitioners

v.

ChriMar Systems, Inc.,

Patent Owner

U.S. Patent No. 8,942,107
Filing Date: February 10, 2012
Issue Date: January 27, 2015

Inter Partes Review No. 2017-00718

Title: A PIECE OF ETHERNET TERMINAL EQUIPMENT

**DECLARATION OF MATTHEW S. YUNGWIRTH IN SUPPORT OF
PETITIONERS' MOTION FOR *PRO HAC VICE* ADMISSION**

I, Matthew S. Yungwirth, being duly sworn and upon oath, hereby attest to the following:

1. I am a partner in the law firm of Duane Morris LLP, working in the firm's office in Atlanta, Georgia.
2. I am a member in good standing of the Bar of Georgia (#783597), as well as the following Federal Courts:
 - a) USDC, Northern District of Georgia;
 - b) USDC, Eastern District of Texas;
 - c) U.S. Court of Appeals, 11th Circuit; and
 - d) U.S. Court of Appeals, Federal Circuit.
3. I have not been suspended or disbarred from practice before any court or administrative body.
4. I have never had an application for admission to practice before any court or administrative body denied.
5. No sanction or contempt citation has been imposed against me by any court or administrative body.
6. In the last three years, I have not applied to appear *pro hac vice* before the Office except for the concurrently submitted Motions for *Pro Hac Vice* Admission in IPR2017-00719, -00720, and -00790.
7. I have never had any court or administrative body impose sanctions or

contempt citations against me.

8. 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.

9. I will be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 10.20 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

10. I am an experienced litigation attorney, with experience in many litigations involving patent infringement in District Courts across the country, including experience with fact and expert document and deposition discovery, claim construction, *Markman* hearings, motion practice, trials and hearings, and investigations before the International Trade Commission.

11. I have been lead counsel for Petitioners Ruckus Wireless, Inc. and Netgear, Inc. in the ongoing litigation matters captioned *Chrimar Systems, Inc. et al. v. Ruckus Wireless, Inc.*, Case No. 3:16-cv-00186 and *Chrimar Systems, Inc. et al. v. Netgear, Inc.*, Case No. 3:16-cv-00624, since their inception and have been actively involved in all aspects of these co-pending litigation matters, which respectively relate to and involve the same patent at issue in this proceeding. Specifically, as part of my participation in these ongoing litigation matters, I have been actively involved in: (1) the preparation of invalidity contentions against the

claims of the subject patent and related patents, and (2) the evaluation of Patent Owner's infringement contentions alleging that Petitioners Ruckus Wireless, Inc. and Netgear, Inc. infringe the claims of the subject patent and related patents.

12. I am also knowledgeable regarding Petitioners' technology and the state of the art relevant to this proceeding based on my prior experience representing Petitioners in patent litigation matters. Thus, I am familiar with the subject matter at issue in this proceeding as a result of my representation of Petitioners in the aforementioned related litigation matters.

13. I hereby declare that all statements 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 are made with the knowledge that willful false and the like are punishable by fine, imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Dated: February 14, 2017

/ Matthew S. Yungwirth /
Matthew S. Yungwirth
msyungwirth@duanemorris.com
DUANE MORRIS LLP
1075 Peachtree Street, NE
Suite 2000
Atlanta, Georgia 30309
Telephone: 404.253.6900
Facsimile: 404.253.6901