

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS, INC.,
Petitioner

v.

VELOCITY PATENT, LLC,
Patent Owner

Case IPR2017-01723
U.S. Patent 5,954,781

EXHIBIT 2001

DECLARATION OF JAMES A. SHIMOTA IN SUPPORT OF
PATENT OWNER'S MOTION FOR ADMISSION *PRO HAC VICE*

I, James A. Shimota, declare as follows:

1. I am a member in good standing of the Bar for the State of Illinois, the U.S. Court of Appeals for the Federal Circuit, U.S. Court of Appeals for the Sixth Circuit, and U.S. District Court for the Northern District of Illinois.
2. I have been litigating patent cases for eighteen years, and have litigated patent proceedings in the Northern District of Illinois, Eastern District of Texas, Eastern District of Virginia, Northern and Central Districts of California, Eastern District of Wisconsin, Northern District of Ohio, Eastern District of Pennsylvania, Districts of Delaware and Massachusetts, and the International Trade Commission, including arguing motions for summary judgment on validity issues and disputed claim terms at Markman hearings.
3. I have never been suspended, disbarred, sanctioned or cited for contempt by any court or administrative body.
4. I have never had a court or administrative body deny my application for admission to practice.
5. No sanctions or contempt citations have been imposed upon me by any court or administrative body.
6. I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set for in part 42 of the Code of Federal Regulations.

7. I agree to be subject to the United States Patent and Trademark Office's Rules of Professional Conduct which took effect on May 3, 2013, and all other applicable rules and procedures.
8. In the past three (3) years, I have not appeared *pro hac vice* in any proceedings before the United States Patent and Trademark Office.
9. I am familiar with the subject matter at issue in this proceeding. I am lead counsel for Patent Owner in the underlying district court proceedings: *Velocity Patent LLC v. Mercedes-Benz USA, LLC, Mercedes-Benz U.S. International, Inc.*, No. 1:13-cv-08413 (N.D. Ill. 2013) and *Velocity Patent LLC v. FCA US LLC*, No. 1:13-cv-08419 (N.D. Ill. 2013). Additionally, I was lead counsel in three related cases involving the challenged patent that have settled: *Velocity Patent LLC v. Audi of America, Inc., et al.*, No. 1:13-cv-08418 (N.D. Ill. 2013), as well as litigation in the Northern District of Illinois against BMW (Case No. 1:13-cv-08416), and Jaguar Land Rover (Case No. 1:13-cv-08421).
10. I have appeared before the judges in the above-identified district court proceedings for conferences and motion hearings, and in the Audi, Mercedes, and FCA cases for summary judgment of invalidity and claim construction hearings for U.S. Patent 5,954,781. In connection with these matters, I have familiarized myself with the patent at issue, its underlying

file history, the background technology, and the prior art references at issue.

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

Date: August 15, 2017

Respectfully submitted

/James A. Shimota/

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