

Filed on behalf of: Nichia Corp.

Paper _____

By: Martin M. Zoltick, Lead Counsel
Michael H. Jones, Back-up Counsel
Mark T. Rawls, Back-up Counsel
ROTHWELL, FIGG, ERNST & MANBECK, P.C.
607 14th Street, N.W., Suite 800
Washington, DC 20005
Phone: 202-783-6040
Facsimile: 202-783-6031
Emails: mzoltick@rfem.com
mjones@rfem.com
mrawls@rfem.com

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VIZIO INC.,
Petitioner,

v.

NICHIA CORP.,
Patent Owner.

Case IPR2018-00437
Patent 9,537,071

**DECLARATION OF ROBERT P. PARKER IN SUPPORT OF
PATENT OWNER'S MOTION FOR ADMISSION *PRO HAC VICE***

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

I, Robert P. Parker, declare as follows:

1. I have been practicing in the field of intellectual property, and particularly, patent litigation, for 24 years.
2. I am a member in good standing of the Bar of the District of Columbia. I am admitted to practice in the United States District Courts for the District of Columbia and Maryland and other federal district courts. I am also admitted to practice in the United States Court of Appeals for the Federal Circuit.
3. I have been in private practice since 1985 and have been litigating patent cases in the International Trade Commission and federal district courts since 1993.
4. I have never been suspended or disbarred from practice before any court or administrative body.
5. I have never had a court or administrative body deny my application for admission to practice.
6. No sanctions or contempt citations have ever been imposed against me by any court or administrative body.

7. 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.

8. I agree to be subject to the USPTO 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 also agree to be subject to the USPTO Rules of Professional Conduct as set forth in Changes to Representation of Others Before the United States Patent and Trademark Office; Final Rule, 78 Fed. Reg. 20180 (Apr. 3, 2013) (effective May 3, 2013).

9. In the past three (3) years, I have been admitted *pro hac vice* in the following proceeding before the United States Patent and Trademark Office:


- *VIZIO Inc. v. Nichia Corp.*, IPR2017-1608; and
- *VIZIO Inc. v. Nichia Corp.*, IPR2017-01623.

10. I am familiar with the subject matter at issue in this proceeding. I am lead counsel in the *Nichia Corp. v. Lowe's Home Centers, LLC* patent infringement litigation (Case No. 2:16-cv-01455-JRG), which is pending in the United States District Court for the Eastern District of Texas and involves the same patent at issue in this proceeding. I was also lead trial and appellate counsel in the *Nichia Corp. v. Everlight Electronics Co., Ltd. et al.* (Case No. 2:13-cv-702-JRG (E.D.

Tex.), *affirmed*, Nos. 16-1585 & 16-1618 (Fed. Cir.)), a case that involved U.S. Patent No. 8,530,250, which is related to the patent at issue in this proceeding.

11. 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 are 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 and that such willful false statements may jeopardize the validity of U.S. Patent No. 9,537,071.

Date: February 21, 2018

By: 
Robert P. Parker
ROTHWELL, FIGG, ERNST &
MANBECK, P.C.
607 14th St., N.W., Suite 800
Washington, DC 20005
Phone: 202-783-6040
Facsimile: 202-783-6031
Email: rparker@rfem.com

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of February, 2018, a true and correct copy of the foregoing DECLARATION OF ROBERT P. PARKER IN SUPPORT OF PATENT OWNER'S MOTION FOR ADMISSION *PRO HAC VICE* was served, via electronic mail upon the following counsel of record for Petitioner VIZIO Inc.:

Gabrielle E. Higgins
Kathryn N.S. Hong
ROPES & GRAY LLP
1900 University Avenue, 6th Floor
East Palo Alto, CA 94303-2284
Phone: 650-617-4000
Facsimile: 650-566-4090
Email: Gabrielle.Higgins@ropesgray.com
Kathryn.Hong@ropesgray.com

/ Erik van Leeuwen /
Erik van Leeuwen
Litigation Operations Coordinator
Rothwell, Figg, Ernst & Manbeck, P.C.