

Filed on behalf of: Nichia Corp.

Paper _____

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Date filed: April 16, 2018

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 DEREK F. DAHLGREN 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, Derek F. Dahlgren, declare as follows:

1. I have been practicing in the field of intellectual property, and particularly, patent litigation, for approximately eight years.
2. I am a member in good standing of the Bars of the District of Columbia and the State of Virginia (inactive). I am admitted to practice in the United States District Court for the District of Columbia. I am also admitted to practice in the United States Court of Appeals for the Federal Circuit.
3. I served as a law clerk to then-Chief Judge Randall R. Rader at the United States Court of Appeals for the Federal Circuit from 2013-2014.
4. I have been in private practice and litigating patent cases since 2010, except for a one year period during my clerkship at the Federal Circuit. I also served as a full-time law clerk working on various patent matters under the supervision of attorneys from 2007 until my graduation from law school in February 2010.
5. I have never been suspended or disbarred from practice before any court or administrative body.

6. I have never had a court or administrative body deny my application for admission to practice.

7. No sanctions or contempt citations have ever been imposed against me by any court or administrative body.

8. 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.

9. 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).

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

- *US Endodontics, LLC v. Gold Standard Instruments, LLC*, IPR2015-00632.
- *US Endodontics, LLC v. Gold Standard Instruments, LLC*, IPR2015-01476.
- *US Endodontics, LLC v. Gold Standard Instruments, LLC*, PGR2015-00019.


- *Adama Makhteshim Ltd. v. Finchimica S.p.A.*, IPR2016-00577.

11. I am familiar with the subject matter at issue in this proceeding based on my work on the various *Inter Partes* Review cases filed against Patent Owner on U.S. Patent No. 9,537,071 and related patents.

12. 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: April 9, 2018

By: _____



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CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of April, 2018, a true and correct copy of the foregoing DECLARATION OF DEREK F. DAHLGREN IN SUPPORT OF PATENT OWNER'S MOTION FOR ADMISSION *PRO HAC VICE* was served, via electronic mail, upon the following counsel for Petitioner Vizio, Inc.:

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