

UNITED STATES PATENT AND TRADEMARK OFFICE

---

**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

---

APPLE INC.,  
Petitioner,

v.

UNIVERSAL SECURE REGISTRY, LLC,  
Patent Owner.

---

Case IPR2018-00812  
U.S. Patent No. 8,856,539

---

**DECLARATION OF MARK D. SELWYN IN SUPPORT OF MOTION FOR  
ADMISSION *PRO HAC VICE***

APPLE 1134

I, Mark D. Selwyn, declare as follows:

1. I was admitted to the Bar of the Commonwealth of Massachusetts and the New York State Bar in 1994, and the Bar of the State of California in 2006, and have been practicing law for over 20 years. For most of my career, my practice has focused on the field of intellectual property, and particularly, patent litigation.

2. I am a member in good standing of the Massachusetts Bar, the New York State Bar, and the State Bar of California, and am admitted to practice before the U.S. Courts of Appeals for the First Circuit, Ninth Circuit, and the Federal Circuit, the U.S. District Courts for the District of Massachusetts, the Northern District of California, the Central District of California, and the Southern District of California.

3. My Massachusetts Bar membership number is 565595. My New York State Bar membership number is 2637221. My State Bar of California membership number is 244180.

4. Over the course of my career, I have been counsel in dozens of patent litigations. Several of these cases have concerned Patent Office rules and regulations. For example, I litigated a number of cases concerning the duty of candor to the Patent Office embodied in 37 C.F.R. §1.56.

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. I have never had any sanctions or contempt citations imposed on 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 37 C.F.R. Part 42.
9. I agree to be subject to the United States Patent and Trademark Office 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).
10. Within the last three years, I have been admitted to appear *pro hac vice* in twelve proceedings before the United States Patent and Trademark Office including IPR2017-0700, IPR2017-00701, IPR2017-00728, IPR2017-00210, IPR2017-00219, IPR2017-00297, IPR2018-01033, IPR2018-01144, IPR2018-01040, IPR2018-00809, IPR2018-00810, and IPR2018-00813.

11. I am familiar with the subject matter at issue in this proceeding. I have reviewed U.S. Patent No. 8,856,539 (the “’539 patent”), which is being challenged in this proceeding, as well as its file history, the Petition, the Institution Decision, and the exhibits in this proceeding. I have also reviewed and am familiar with the relevant prior art.

12. Beginning in 2017 and continuing until the present, I have represented Petitioner Apple Inc. in *Universal Secure Registry LLC v. Apple Inc.*, No. 17-cv-00585-VAC-MPT (D. Del. 2017) (the “USR litigation”), which is a related matter to this proceeding. The validity of the ’539 patent is a contested issue in the USR litigation. The validity of other patents in the same patent family as the ’539 patent over some of the prior art raised in this proceeding are also contested issues in the USR litigation. I have also been admitted to appear *pro hac vice* in three proceedings before the United States Patent and Trademark Office relating to patents at issue in the USR litigation, including IPR2018-00809, IPR2018-00810, and IPR2018-00813.

13. 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 the statements are made with the knowledge

that willful false statements and the like are punishable by fine, imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.