

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

INTUITIVE SURGICAL, INC.,  
Petitioner,

v.

ETHICON LLC,  
Patent Owner.

---

Case IPR2018-01248  
Patent 8,479,969

---

**DECLARATION OF ROGER A. DENNING IN SUPPORT OF  
PETITIONER'S UNOPPOSED MOTION FOR *PRO HAC VICE*  
ADMISSION**

I, Roger A. Denning, hereby declare the following:

1. I am a Principal with the law firm of Fish & Richardson P.C.
2. I have been a member in good standing of the Bar of the State of California since 2003 and a member in good standing of the Bar of the State of Arizona since 1997. My California State Bar number is 228998 and my Arizona State Bar number is 18315. I am also admitted to practice before the United States District Court for the Southern District of California since 2003 and the United States District Court for the District of Arizona since 1997.
3. I am an experienced litigation attorney with more than 20 years of experience representing clients in patent cases involving medical devices, software, micro-electronics, and life sciences. I regularly litigate patent cases in federal district courts. Through my experience in patent litigation matters, I have represented clients in many phases of litigation including discovery, *Markman* hearings, trials, and appeals. My biography is attached hereto as Appendix A.
4. I have appeared *pro hac vice* before the Board in the following proceedings; IPR2013-00511, IPR2013-00512, IPR2013-00514, IPR2013-00515, IPR2013-00516, IPR2016-01724, IPR2016-01735, IPR2017-00059, IPR2017-00061, IPR2017-00062, IPR2017-00272, IPR2017-00501, IPR2017-00504, IPR2017-00632, and IPR2017-01789. I am concurrently applying to appear *pro hac*

*vice* in the following proceedings: IPR2018-01247, IPR2018-01248, and IPR2018-01254.

5. I have not been suspended or disbarred from practice before any court or administrative body.

6. No court or administrative body has denied my admission to practice before then.

7. No sanction or contempt citation has 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 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. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

10. I hereby declare that all statements made herein of my own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 35 U.S.C. § 1001.

Proceeding No.: IPR2018-01248

Attorney Docket: 11030-0049IP9

Respectfully submitted,

Date: Sept. 11, 2019

/Roger A. Denning/

Roger A. Denning

Fish & Richardson P.C.

12390 El Camino Real

San Diego, CA 92130

Tel: 858-678-4784

Email: [denning@fr.com](mailto:denning@fr.com)

# APPENDIX A

# 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.