UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MICROSOFT CORPORATION,

Petitioner

v.

DIRECTSTREAM, LLC,

Patent Owner

_____

IPR2018-01605, IPR2018-01606, and IPR2018-01607

Patent No. 7,620,800

_____

DECLARATION OF G. DONALD PUCKETT IN SUPPORT OF PATENT OWNER'S MOTION FOR _PRO HAC VICE_ ADMISSION OF G. DONALD PUCKETT UNDER 37 C.F.R. § 42.10(c)

I, G. Donald Puckett, declare as follows:

1. I am more than twenty-one years of age, competent to present this declaration, and have personal knowledge of the facts set forth herein.

2. This declaration is given in support of Patent Owner's Motion for *Pro Hac Vice* Admission of G. Donald Puckett.

3. I am Of Counsel at the law firm Janik Vinnakota LLP.

4. I have been practicing law in the field of intellectual property, and specifically patent litigation, for approximately twenty years. I also have been an Adjunct Professor at Texas A&M School of Law where I have taught classes related to patent litigation practice.

5. I have extensive experience litigating patent infringement cases in many different courts across the United States. My experience in patent litigation matters includes, but is not limited to: presenting oral arguments to the Board in IPR proceedings; serving as lead trial counsel in district court patent litigation; presenting oral arguments to the court in claim construction hearings and other patent-related hearings; taking depositions of expert witnesses regarding invalidity, infringement, and claim construction; drafting claim construction briefs; drafting briefs associated with motions for summary judgments regarding invalidity and infringement issues; drafting invalidity and infringement contentions; and handling patent appeals before

the United States Court of Appeals for the Federal Circuit and briefing before the U.S. Supreme Court.

6. Because of my work for Patent Owner, I have an established familiarity with U.S Patent Nos. 6,076,152, 6,247,110, 6,434,687, 7,225,324, 7,421,524, and 7,762,800, the field of high-performance computing design, and the prior art that Microsoft has asserted in each of the ten IPRs filed against these six patents.

7. I am a member in good standing of the Bar of Texas (admitted 1999), as well as the following Federal Courts: U.S. District Court for the Eastern District of Texas, U.S. District Court for the Northern District of Texas, U.S. District Court for the Southern District of Texas, U.S District Court for Western District of Texas; U.S. District Court for the District of Colorado; U.S. District Court for the District of Nebraska; U.S. District Court for the Northern District of Illinois, the United States Courts of Appeals for the Fifth and Federal Circuits, and the U.S. Supreme Court.

8. I have never been suspended or disbarred from practice before any court or administrative body.

9. No court or administrative body has ever denied my application for admission to practice before it.

10. No court or administrative body has imposed sanctions or contempt citations on me.

11. 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 in 37 C.F.R. § 42.
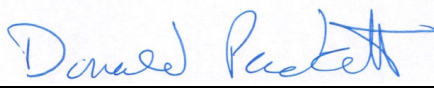
12. I understand that I will be subject to the USPTO Code of Professional Responsibility set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

13. I have appeared before the Board *pro hac vice* in the last several years in: (1) IPR2014-00411 and IPR2015-00065 (consolidated); and (2) IPR2014-01431 and IPR2014-01432 (consolidated); and IPR2016-00379. I presented oral arguments to the Board in various cases. *See* IPR2014-00411 at Paper No. 112; IPR2014-01431 at Paper No. 47.

14. I also developed specialized skills and experience regarding procedural issues that arise in PTAB trials, including administrative law and constitutional issues. For example, I was the lead briefing attorney in the following appeals from various PTAB cases involving complex procedural issues: *Wi-Fi One, Inc. v. Broadcom*, 878 F.3d 1364 (Fed. Cir. 2018, *en banc*); *Leak Surveys, Inc. v. FLIR, Inc.*, Case No. 16-1299 (U.S. S.Ct. 2018, *cert. denied*).

15. I hereby declare that all statements made herein are of my own knowledge, are true, and further that all statements made herein that are willful or false statements are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Dated: May 24, 2019   By: _____

G. Donald Puckett
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