

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

KOSS CORPORATION,
Patent Owner

Case IPR2021-00600
Patent No. 10,298,451

**DECLARATION OF MICHAEL PIEJA IN SUPPORT OF PETITIONER'S
MOTION FOR *PRO HAC VICE* ADMISSION**

I, Michael Pieja, being duly sworn and upon oath, hereby declare the following:

1. I am a member in good standing of the State Bar of California, Illinois, and New York, as well as the United States Courts of Appeals for the Ninth and Federal Circuits.
2. I have not been suspended or disbarred from practice before any court or administrative body.
3. I have never had an application for admission to practice before any court or administrative body denied.
4. No sanction or contempt citation has been imposed against me by any court or administrative body.
5. 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.
6. 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).

7. In the past three years, I have applied for admission pro hac vice in IPR2021-00255 (motion granted December 14, 2021, Paper 39), IPR2021-00305 (motion granted December 14, 2021, Paper 32) and IPR2021-00381 (motion granted December 14, 2021, Paper 28).

8. I am an experienced litigation attorney with more than 15 years of experience representing clients in patent cases involving consumer electronics, computer software, and semiconductors. I regularly litigate patent cases in various forums including the Federal District Courts, and the International Trade Commission. 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 Exhibit A.

9. I serve as trial counsel for Apple in a litigation that involves the same patent that is at issue in the above-captioned inter partes review proceeding, styled Koss Corporation v. Apple Inc., W.D. Tex. Case. No. 6:20-cv-00665. As a result, am intimately familiar with the issues and subject matter presented in this above-captioned inter partes review proceeding. For example, I have extensively reviewed the above identified patent, its prosecution history, the Petition for IPR (including the invalidity grounds therein, and the cited references) and all exhibits filed in this case.

10. I declare that all statements made herein of my knowledge are true, and that all statements made on information and belief are believed to be true, and that these statements were 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.

Respectfully submitted,

Date: 1/20/2022

/s/ Michael Pieja

Michael Pieja

Goldman Ismail Tomaselli Brennan & Baum LLP

200 South Wacker Dr., 22nd Floor

Chicago, IL 60606

P 312-881-5954

mpieja@goldmanismail.com

EXHIBIT 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.