

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE INC.,  
Petitioner

v.

KOSS CORPORATION,  
Patent Owner

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Case IPR2021-00600  
Patent 10,298,451

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**UPDATED DECLARATION OF SETH M. SPROUL IN SUPPORT OF  
PETITIONER'S MOTION FOR *PRO HAC VICE* ADMISSION**

I, Seth M. Sproul, being duly sworn and upon oath, hereby declare the following:

1. I am a member in good standing of the State Bar of California, as well as the United States Court of Appeals for the Federal Circuit.
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 not applied to appear *pro hac vice* before the Office in any other proceedings during the past three years.

8. I am an experienced litigation attorney with more than 20 years of experience representing clients in patent cases involving medical devices, 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, jury trials, bench trials, and appeals. My biography is attached hereto as Exhibit A.

9. I 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.

Date:

11/16/2021

Respectfully submitted,



Seth M. Sproul

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# EXHIBIT A

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