

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA, INC., and APPLE INC.,
Petitioners,

v.

SMART MOBILE TECHNOLOGIES LLC,
Patent Owner.

Case IPR2022-01249
Patent 9,019,946

**DECLARATION OF STEVEN J. UDICK IN SUPPORT OF PATENT
OWNER'S UNOPPOSED MOTION FOR *PRO HAC VICE* ADMISSION**

I, Steven J. Udick, being duly sworn and upon oath, hereby attest to the following:

1. I am a member of good standing with the State Bar of Texas (2012).
2. I am Partner at the law firm of Skiermont Derby LLP. I am an experienced patent litigation attorney with more than ten years of experience. In that time, I have served as counsel in numerous patent infringement suits before the United States District Courts for the Northern, Eastern, Southern, and Western Districts of Texas, and am admitted to practice in the United States Supreme Court and the United States Courts of Appeals for the Federal Circuit.
3. I have never been suspended or disbarred from practice before any court or administrative body, apart from an administrative suspension for nonpayment of inactive bar dues by the Washington Bar Association, which was lifted upon payment of the overdue bar dues.
4. I have never had an application for admission to practice before any court or administrative body denied.
5. I have never had any sanctions or contempt citations imposed on me from any court or administrative body.
6. 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 title 37 of the Code of Federal Regulations.

7. I agree to 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).

8. I have applied to appear *pro hac vice* in two other proceedings within the last three years. On November 7, 2022, I applied to appear *pro hac vice* in *Samsung Electronics Co., Ltd., Apple Inc., and Samsung Electronics America, Inc. v. Smart Mobile Technologies LLC*, IPR2022-00766, and that application was conditionally granted on November 29, 2022 (*see* IPR2022-00766, Paper 19), and fully granted on December 9, 2022, when Patent Owner filed its Updated Mandatory Notices and Power of Attorney (*see* IPR2022-00766, Papers 21 and 22). On December 2, 2022, I applied to appear *pro hac vice* in *Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Apple, Inc. v. Smart Mobile Technologies LLC*, IPR2022-01004, and that application was granted on January 25, 2023 (*see* IPR2022-01004, Paper 16).

9. Smart Mobile Technologies LLC's lead counsel in this proceeding, Mr. Rex Hwang, is a Partner at Skiermont Derby LLP, and is a registered practitioner experienced in proceedings before the USPTO.

10. I have worked with lead counsel and am familiar with the subject matter at issue in this proceeding. As such, I have reviewed and am very familiar with (i) U.S. Patent No. 9,019,946 (the "'946 patent"), the patent-at-issue in this proceeding,

(ii) the prior art relied upon in Petitioners' Petition, (iii) the legal and factual arguments that have been addressed by Patent Owner, and (iv) the developments in this proceeding since the filing of Petitioners' Petition. I am counsel for Smart Mobile Technologies LLC in the related co-pending district court cases, *Smart Mobile Technologies LLC v. Apple Inc.*, 6:21-cv-00603-ADA (W.D. Tex.); and *Smart Mobile Technologies LLC v. Samsung Electronics Co. Ltd. and Samsung Electronics America, Inc.*, 6:21-cv-00701-ADA (W.D. Tex.), in which Patent Owner has asserted the '946 patent against Petitioners.

11. 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 these statements are made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both. (18 U.S.C. §1001.)

Dated: March 24, 2023



Steven J. Udick