

**DECLARATION OF RYAN E. DORNBERGER IN SUPPORT OF
MOTION FOR *PRO HAC VICE* ADMISSION**

I, Ryan E. Dornberger, declare that:

- 1) I am an associate at the law firm of Robins Kaplan LLP and provide this declaration in support of Patent Owner's Motion for my *pro hac vice* admission. I have personal knowledge of the matters set forth below.
- 2) I have litigated patent infringement disputes for over three years, including fact and expert discovery, *Markman* hearings, and oral arguments in patent infringement matters before both Federal district courts and the United States Court of Appeals for the Federal Circuit.
- 3) I am a member in good standing of the State Bar of Minnesota.
- 4) I have never been suspended or disbarred from practice before any court or administrative body.
- 5) No court or administrative body has ever denied my application for admission to practice before it, and I have been admitted *pro hac vice* in the Northern District of California, the Western District of Texas, the Western District of Wisconsin, the Northern District of Illinois, and the District of Delaware.

Declaration of

- 6) No court or administrative body has ever imposed sanctions or contempt citations on me.
- 7) 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 37 C.F.R.
- 8) I understand that I will be subject to the Office's Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.P.R. § 11.19(a).
- 9) I have established familiarity with the subject matter at issue in this proceeding. I serve as Patent Owner's litigation counsel in the parallel litigation currently pending in the U.S. District Court for the Western District of Texas in which the same patent is at issue *Affinity Labs of Texas, LLC v. Netflix, Inc.*, 1:15-cv-849-RP (W.D. Tex.). Further, I participated in drafting the four *Markman* briefs submitted to the district court and attended the Court's day-long *Markman* hearing, which included live testimony from both parties' experts regarding the '868 Patent.
- 10) I have jointly applied for *pro hac vice* admission in a related IPR, IPR2016-01701. I have also applied for *pro hac vice* admission in one other proceedings before the Patent Trial and Appeals Board, *Polaris Industries Inc. v. Arctic Cat Inc.*, IPR2016-01917, which is still pending.

Declaration of

IPR2017-00122
Patent 9,444,868

Pursuant to 18 U.S.C. § 1001, I declare under penalty of perjury that the foregoing is true and correct.

Dated: November 14, 2017

/s/ Ryan E. Dornberger
Ryan E. Dornberger
Robins Kaplan LLP

Declaration of