

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BOYDSTUN EQUIPMENT MANUFACTURING, LLC,

Petitioner,

v.

COTTRELL, INC.,

Patent Owner

Case IPR2017-00962
U.S. Patent No. 7,585,140

**DECLARATION OF KYLE M. AMBORN IN
SUPPORT OF MOTION FOR PRO HAC VICE
ADMISSION UNDER 37 C.F.R. § 42.10**

I, Kyle M. Amborn, declare and attest as follows:

1. I am a Counsel for the firm Perkins Coie LLP. I make this declaration in support of Patent Owner Cottrell, Inc.'s Motion for Kyle M. Amborn to Appear *Pro Hac Vice* Under 37 C.F.R. § 42.10, filed in the above-captioned IPR, No. 2017-00962, involving U.S. Patent No. 7,585,140 (“the ’140 patent”).

2. I have more than 9 years of litigation experience, and specialize in patent litigation involving a number of technologies, including (for example) computer software, mobile devices, video game hardware, computer displays, pharmaceuticals, aerospace, and mechanical devices, including devices like those at issue here. Attached as **Exhibit A** is a copy of my professional biography as provided by Perkins Coie LLP, my current employer.

3. In 2005, I earned a bachelor’s degree in computer science from Washington University in St. Louis, Missouri.

4. Since graduating from the University of Virginia School of Law in 2008, I have worked extensively on patent litigation matters, including cases in various federal district courts and the U.S. Court of Appeals for the Federal Circuit. I have represented clients in many phases of litigation including discovery, *Markman* hearings, jury trials, and appeals.

5. I was admitted to the Washington State Bar on November 14, 2014, and have been a member in good standing since that time. I am also currently a member in good standing of the District of Columbia Bar, and am admitted to practice in the U.S. District Court for the Eastern District of Texas and the U.S. Court of Appeals for the Federal Circuit.

6. I have never been suspended or disbarred by any court or administrative body. Nor have I ever been disciplined by a court, bar association, or committee thereof that would reflect unfavorably upon my conduct, competency or fitness as a member of the Bar. No sanctions or contempt citations have been imposed upon me by any court or administrative body. I have never been denied application for admission to practice before any court or administrative body.

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. I also understand that I am 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 not previously applied to appear *pro hac vice* in other proceedings before the Patent Trial and Appeal Board.

9. I understand that I would be admitted for the limited purpose of appearing in this case only.

10. I am familiar with the subject matter of this proceeding. Since June of this year, I have been counsel of record for Patent Owner in a related litigation filed by Petitioner (*Boydston Equipment Manufacturing, LLC v. Cottrell, Inc.*, No. 16-00790, D. Or.), which also involves the '140 patent. I have also worked closely with Lead Counsel and Back-Up Counsel in support of Patent Owner's efforts in this matter since at least August of this year. As part of this effort, I have closely reviewed the '140 patent, its prosecution history, the IPR Petition and subsequent filings in this IPR, the declaration offered in support of Boydston's Petition, the Board's Decision on Institution, and the prior art of record. I am, therefore, very familiar with the technology, patent and prior art at issue in this IPR. As such, and in view of my many years of patent litigation, I have knowledge and experience that is important to representing Patent Owner's interests in this matter.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 26, 2017 in Seattle, Washington.

/s/ Kyle M. Amborn

Kyle M. Amborn

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on October 26, 2017, copies of the foregoing document was served on Petitioner at the following email addresses:

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