

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DONGHEE AMERICA, INC. and DONGHEE ALABAMA, LLC,

Petitioners

v.

PLASTIC OMNIUM ADVANCED INNOVATION AND RESEARCH,

Patent Owner.

Case IPR2017-01647

Patent 6,814,921

DECLARATION OF NICHOLAS H. LAM

1. I, Nicholas H. Lam, am competent to present this declaration, and have personal knowledge of the facts set forth herein.

2. This declaration is given in support of Petitioners Donghee America, Inc. and Donghee Alabama, LLC's Motion for *Pro Hac Vice* Admission of Nicholas H. Lam.

3. I am an associate at the law firm of Orrick, Herrington & Sutcliffe. I am an experienced litigating attorney and have been litigating patent cases for approximately ten (10) years.

4. I have an established familiarity with the subject matter at issue in this proceeding. I am counsel for Donghee America, Inc. and Donghee Alabama, LLC (together, "Donghee") in a co-pending district court case involving Patents 6,814,921 ("921 Patent"); 6,866,812 ("812 Patent"); 7,166,253 ("253 Patent"); 9,079,490 ("490 Patent"); 9,339,326 ("326 Patent"); and 9,399,327 ("327 Patent"). That case is captioned *Plastic Omnium Advanced Innovation and Research v. Donghee America, Inc. and Donghee Alabama, LLC*, C.A. No. 16-187-LPS-CJB (D. Del.). I have been actively involved in the technical aspects of the district court case, including the validity of the '921, '812, '253, '490, '326, and '327 Patents. I have an in-depth familiarity with each of the patents, their file histories, and the references asserted as prior art by Donghee in this IPR proceeding.

5. I am a member in good standing of the State Bar of New York.
6. I have never been suspended or disbarred from practice before any court or administrative body.
7. No court or administrative body has ever denied my application for admission to practice before it.
8. No court or administrative body has ever imposed sanctions or contempt citations on me.
9. 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 Section 37 of the C.F.R.
10. I understand that I will be subject to the United States Patent and Trademark Office 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).
11. I am concurrently applying to appear *pro hac vice* in IPR2017-01605 ('253 Patent), IPR2017-01633 ('812 Patent), IPR2017-01647 ('921 Patent), IPR2017-01654 ('490 Patent), IPR2017-01890 ('327 Patent), and IPR2017-01945 ('326 Patent), each of which pertains to a patent asserted in the co-pending district court case. Other than the foregoing, I have not applied to appear *pro hac vice* in any other proceeding before the Office in the last three (3) years.

12. 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 were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under 18 U.S.C. 1001.

Dated: July 5, 2018

/Nicholas H. Lam/

Nicholas H. Lam