

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

InAuth, Inc.,
Petitioner

v.

mSIGNIA, Inc.,
Patent Owner

Case IPR2018-00150
U.S. Patent 9,559,852

EXHIBIT 2001

DECLARATION OF KENNETH G. PARKER IN SUPPORT OF
PATENT OWNER'S MOTION FOR ADMISSION *PRO HAC VICE*

I, Kenneth G. Parker, declare as follows:

1. I am a member in good standing of the Bar for the State of California,
2. U.S. District Court for the Central District of California, U.S. District Court for the Southern District of California, U.S. District Court for the Eastern District of California, U.S. District Court for the Northern District of California, U.S. Court of Appeals for the Federal Circuit, U.S. Court of Appeals for the Ninth Circuit, U.S. Court of Appeals for the Second Circuit, U.S. District Court for the Southern District of Ohio, U.S. District Court for the Western District of Oklahoma, U.S. District Court for the Southern District of New York, U.S. District Court for the Eastern District of New York, U.S. District Court for the Eastern District of Texas and U.S. District Court for the Middle District of Florida.
3. I have been litigating patent cases for twenty-two years, and have litigated patent proceedings in the U.S. District Courts for the Northern, Southern and Central Districts of California, Eastern District of Texas, District of Delaware, Southern District of New Jersey, Middle and Southern Districts of Florida, and Western District of Oklahoma. I have never been suspended or disbarred by any court or administrative body.
4. I have never had a court or administrative body deny my application for admission to practice.

5. Except as set forth below, I have never been held in contempt by any court or administrative body. On June 8, 2015, a discovery referee in Orange County California issued an order for sanctions concerning a deposition that I, and another counsel for my client, had jointly defended. The matter involved four consolidated actions and was styled as *Young v. D'elia*, Case No. 30-2013-00659963 (Ca. Sup. Ct.). Of the four consolidated actions, I was counsel in only one of them. The deposition involved all four separate matters, and, since I was counsel of record only for one of the matters, my co-counsel also stated objections on the record. The deposition witness was an in-house counsel of our client, and the transcript reflected objections on the basis of attorney client privilege. At approximately 4pm in the afternoon, my co-counsel stated that he was terminating the deposition, and the deposition was terminated. Our opposing counsel later brought a motion for sanctions relating to the termination of the deposition and other issues, which was granted, in the amount of \$12,200. The sanctions were issued jointly and severally against both myself and my co-counsel, and were later approved by the California Superior Court without comment. I paid half of the sanctions penalty, and the case proceeded without any further sanctions from the Court. Aside from this, I have never been sanctions either before or since by any other court or administrative body. I have spent twenty years litigating in federal courts, and I

have never been sanctioned or even been the subject of an effort to obtain sanctions in federal court.

6. I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set for in part 42 of the Code of Federal Regulations.
7. I agree to be subject to the United States Patent and Trademark Office's Rules of Professional Conduct which took effect on May 3, 2013, and all other applicable rules and procedures.
8. I applied and was admitted to appear *pro hac vice* before the Office in seven separate IPR proceedings on behalf of TAS Energy, Inc.: IPR2015-01665, IPR2014-00161, IPR2014-00162, IPR2014-00163, IPR2014-00342, IPR2015-00882, and IPR2015-00886. All seven of the IPR proceedings in which I was previously admitted *pro hac vice* were on behalf of TAS Energy, Inc. In addition, I was listed as backup counsel (*pro hac vice* pending) in TAS Energy's Mandatory Notices for IPR2015-01212 and IPR 2015-01214, but TAS Energy elected to substitute counsel before I filed my motion for *pro hac vice* admission, and thus I did not appear *pro hac vice* in those matters. I was also admitted *pro hac vice* in IPR2015-01109 and IPR2015-01192. Those proceedings are unrelated to this matter and have since been terminated. I have not applied to appear *pro hac vice* before the Office in any other matters in the

last three years.

9. I am familiar with the subject matter at issue in this proceeding. I am lead counsel for Patent Owner in the underlying district court proceedings: Case No. 8:17-cv-01289 in the Central District of California.

10. I have appeared in the above-identified district court. In connection with these matters, I have familiarized myself with the patent at issue, its underlying file history, the background technology, and the prior art references at issue.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date: November 29, 2017

Respectfully submitted,

/Kenneth G. Parker/

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