

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DATASPEED INC.,

Petitioner,

v.

SUCXESS LLC,

Patent Owner.

Case IPR2020-00147

Patent 10,027,505

**DECLARATION OF MAXWELL GOSS IN
SUPPORT OF MOTION TO APPEAR *PRO HAC VICE*
ON BEHALF OF PATENT OWNER SUCXESS LLC**

I, Maxwell Goss, declare:

1. I have personal knowledge of the facts set forth in this declaration and, if called as a witness, could and would testify competently under oath.

2. I am a member in good standing of the State Bar of Michigan (Bar No. P78594) and the State Bar of Texas (Bar No. 24069813). I am also a member in good standing of the United States District Court for the Eastern District of Michigan; the United States District Court for the Western District of Michigan; the United States District Court for the Eastern District of Texas; the United States District Court for the Western District of Texas; the United States District Court for the Northern District of Texas; the United States District Court for the Southern District of Texas; the United States District Court for the District of Colorado; the United States District Court for the Northern District of Illinois; the United States District Court for the Northern District of Ohio; and the United States Court of Appeals for the Sixth Circuit.

3. I have never been suspended or disbarred from practice before any court or administrative body.

4. None of my applications for admission to practice before any court or administrative body have ever been denied.

5. I have not been sanctioned nor have I had a contempt citation imposed on me by 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 Trial set forth in part 42 of 37 C.F.R.

7. I acknowledge that I will 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* before the Patent Trial and Appeal Board in IPR2020-00136, which was filed by the Petitioner on October 31, 2019 and seeks *inter partes review* of patent 9,871,671 in the same family. That application is pending. I have not applied to appear *pro hac vice* before the Board in any other matters in the last three years.

9. I am an experienced litigating attorney. I have been a litigator for ten years. During that time, I have represented clients in numerous patent infringement cases in courts around the country, including the United States District Courts for the Eastern District of Texas, the Northern District of California, the District of Delaware, the District of Colorado, the District of Minnesota, and elsewhere. I have worked with infringement, validity, claim construction, fact and expert discovery, and other issues.

10. I represent Patent Owner in five related lawsuits, *SUCCESS LLC v. AutoX Technologies, Inc.*, Case No. 1:19-cv-02121 (D. Del.), *SUCCESS LLC v. Phantom Auto, Inc.*, Case No. 1:19-cv-02122 (D. Del.), *SUCCESS LLC v. Pony.ai, Inc.*, Case No. 1:19-cv-02123 (D. Del.), *SUCCESS LLC v. SF Motors, Inc.*, Case No. 1:19-cv-02124 (D. Del.), and *SUCCESS LLC v. WeRide Corp.*, Case No. 1:19-cv-02130 (D. Del.). I also represented Patent Owner in *SUCCESS LLC v. Voyage Auto, Inc.*, Civil Action No. 1:19-cv-00679 (D. Del.), which related to another patent in the same family, U.S. Patent No. 9,871,671. I have studied and analyzed the field of technology relevant to the '505 Patent, as well as the claims, specification, and prosecution history of the '505 Patent. I have carefully reviewed the Petition submitted by Petitioner and all exhibits attached to the Petition.

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

Executed on November 26, 2019 in Birmingham, Oakland County,
Michigan.



Maxwell Goss

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Declaration of Maxwell Goss was served on Petitioner's counsel of record via electronic mail on November 26, 2019 at the following addresses:

Peter W. Gowdey - pgowdey@dbjg.com

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James T. Wilson - jwilson@dbjg.com

with a copy sent to ESong@dbjg.com

Respectfully submitted,

Date: 26 November 2019

By: /Axel Nix/
Bernd Axel Nix
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Success LLC