

PGR2018-00047

Declaration of Geoffrey R. Miller ISO Motion for *Pro Hac Vice* Admission

Filed on behalf of Supercell Oy

By:

JENNIFER R. BUSH, Reg. No 50,784

GEOFFREY R. MILLER

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SUPERCELL OY,
Petitioner

v.

GREE, INC.,
Patent Owner.

Case PGR2018-00047
Patent 9,770,659 B2

**DECLARATION OF GEOFFREY R. MILLER IN SUPPORT OF
PETITIONER'S MOTION FOR PRO HAC VICE ADMISSION OF
GEOFFREY R. MILLER PURSUANT TO 37 C.F.R. § 42.10(c)**

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I, Geoffrey R. Miller, declare as follows:

1. I am more than twenty-one years of age, am competent to present this declaration, and have personal knowledge of the facts set forth herein.

2. This declaration is made in support of Petitioner Supercell Oy's Motion for *Pro Hac Vice* Admission of Geoffrey R. Miller Pursuant to 37 C.F.R. § 42.10(c).

3. I am an associate at the law firm of Fenwick & West LLP.

4. I have been a litigating attorney for more than three years. I have been litigating patent cases during that entire time period, prior to which I completed a one-year term clerkship for The Honorable John D. Love, United States Magistrate Judge for the U.S. District Court for the Eastern District of Texas, in which I primarily assisted Judge Love with patent litigation cases.

5. I am a member in good standing of the state bars of California and New York. I am a member in good standing of the State Bars of Massachusetts and Texas on inactive status. I am not suspended and have never been disbarred from practice before any court or administrative body. I was suspended once for seven days from the State Bar of Texas for late payment of annual bar dues. I have not been suspended from practice before any other court or administrative body at any other time.

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6. No court or administrative body has ever denied my application for admission to practice before it.

7. No court or administrative body has ever imposed sanctions or contempt citations on me.

8. 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.

9. I understand that I will be subject to the USPTO Code of Professional Responsibility set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

10. I have applied to appear *pro hac vice* in one post grant review proceeding before the Office within the last three (3) years, PGR2018-00008, which was conditionally granted on September 20, 2018. Petitioner is also concurrently moving for me to appear *pro hac vice* in PGR2018-00029, PGR2018-00036, PGR2018-00039, PGR2018-00050, PGR2018-00055, PGR2018-00060, and PGR2018-00061.

11. I have established familiarity with the subject matter at issue in this proceeding. I am serving as a consulting attorney in a related, co-pending action before the Tokyo District Court. U.S. Patent No. 9,770,659 B2 is a continuation of U.S. Ser. No. 15/391,123 that claims the benefit of Japanese Patent Application

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No. 2013-116039 filed on May 31, 2013, which published as JP 6,125,128.

JP 6,125,128 is asserted by GREE against Supercell Oy and Supercell K.K. in the following patent infringement lawsuit: GREE, Inc. v. Supercell K.K., Case 2017 (Yo) No. 22165 Petition for Provisional Disposition before Civil Department 29 of the Tokyo District Court.

12. I have also reviewed in detail the '583 patent, which is the patent involved in this proceeding, its prosecution history, as well as the Petition. I am thus very familiar with the '583 patent and the issues in this case.

13. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and believe are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

EXECUTED at Mountain View, California, on January 17, 2019.

/ Geoffrey R. Miller /

Geoffrey R. Miller

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CERTIFICATION OF SERVICE

Pursuant to 37 C.F.R. § 42.6, the undersigned certifies that on January 16, 2019, a copy of the foregoing document, **Declaration of Geoffrey R. Miller in Support of Petitioner's Motion for *Pro Hac Vice* Admission of Geoffrey R. Miller Pursuant to 37 C.F.R. § 42.10(c)**, was served on Patent Owner's lead and backup counsel in their entirety by electronic service by email at the email addresses provided below:

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Dated: January 17, 2019

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/Jennifer R. Bush/

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