

PGR2018-00047

Declaration of Michael J. Sacksteder ISO Motion for *Pro Hac Vice* Admission

Filed on behalf of Supercell Oy

By:

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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

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

Declaration of Michael J. Sacksteder ISO Motion for *Pro Hac Vice* Admission

I, Michael J. Sacksteder, 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 Michael J. Sacksteder Pursuant to 37 C.F.R. § 42.10(c).

3. I am a Partner at the law firm of Fenwick & West LLP.

4. I have been a litigating attorney for more than twenty years. I have been litigating patent cases during that entire time period.

5. I am a member in good standing of the Bar of the State of California. I have never been suspended or disbarred from practice before any court or administrative body.

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 the Code of Federal Regulations.

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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 and been admitted to appear *pro hac vice* in nine *inter partes* review proceedings and one post grant review proceeding before the Office within the last three (3) years. I am also concurrently moving for admission to appear *pro hac vice* in PGR2018-00029.

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 is a continuation of U.S. Ser. No. 15/253,964, which is a continuation of 14/291,358, that claims the benefit of Japanese Patent Application 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. The '659 patent is a continuation of U.S. Patent 9,636,583, which is the subject of a Post Grant Review petition filed by Petitioner on February 1, 2018, assigned Post Grant Review No. PGR2018-00029.

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12. I have also reviewed in detail the '659 patent, which is the patent involved in this proceeding, as well as the Petition. I am thus very familiar with the '659 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 San Francisco, California, this 17th day of May, 2018.

/ Michael J. Sacksteder /
Michael J. Sacksteder

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CERTIFICATION OF SERVICE

Pursuant to 37 C.F.R. § 42.6, the undersigned certifies that on May 17, 2018, a copy of the foregoing document, **DECLARATION OF MICHAEL J. SACKSTEDER IN SUPPORT OF PETITIONER'S MOTION FOR PRO HAC VICE ADMISSION OF MICHAEL J. SACKSTEDER 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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