UNITED STATES PATENT AND TRADEMARK OFFICE

_____

BEFORE THE PATENT TRIAL AND APPEAL BOARD

_____

MOM Enterprises, LLC,
Petitioner,

v.

ELAINE AND REINHOLD W. VIETH,
Patent Owners,

_____

Case IPR 2023-00726
Patent 9,066,958

_____

DECLARATION IN SUPPORT OF PATENT OWNERS' MOTION FOR PRO HAC VICE ADMISSION OF ALAN M. ANDERSON

I, Alan M. Anderson, declare as follows:

1. I have been practicing in the field of intellectual property, and particularly, patent litigation, for over thirty-five (35) years.
2. I am a member in good standing of the Bar of the State of Minnesota and am admitted to practice before the United States Supreme Court, the United States Courts of Appeal for the Fourth, Sixth, Seventh, Eighth, Tenth, and Federal Circuits, and the United States District Courts for the District of Minnesota, Eastern District of Wisconsin, District of North Dakota, and District of Colorado.
3. I am a member of the Federal and Minnesota Bar Associations, amongst others. I served on the Board of Editors of the AIPLA Quarterly Journal.
4. I have been in private practice and litigating patent cases since 1983, have been lead counsel on more than 100 patent cases over my career, and litigated many of them through both trial and appeal. I have tried patent infringement actions to verdicts in courts literally from New York to Los Angeles during my career. I have briefed and argued many appeals before the United States Court of Appeals for the Federal Circuit. I previously assisted counsel in proceedings before the Patent Trial and Appeal Board of the United States Patent and Trademark Office.

5. I have never been suspended, disbarred, sanctioned, or cited for contempt by any court or administrative body.
6. I have never had a court or administrative body deny my application for admission to practice.
7. I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials, as set forth in Part 42 of the C.F.R.
8. I agree to be subject to the United States Patent and Trademark Office Code of Professional Responsibility set forth in 37 C.F.R. §§ 10.101, et seq. and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).
9. In the past three (3) years, I have not appeared *pro hac vice* in any proceedings before the United States Patent and Trademark Office.
10. I am familiar with the subject matter at issue in this proceeding. I am lead counsel in the case before the United States District Court for the District of Delaware captioned *DDROPS COMPANY, REINHOLD VIETH, and ELAINE VIETH v. MOM ENTERPRISES, LLC, d/b/a MOMMY'S BLISS.*, Civil Action No. 22-332-GBW, and was lead counsel in two additional cases in which the patent subject to this IPR was asserted. I gained familiarity with the patent subject to this proceeding as it was the patent-in-suit in the referenced litigations.

11. 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 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.

Respectfully Submitted,

/Alan M. Anderson/

Alan M. Anderson
ALAN M. ANDERSON LAW FIRM
Crescent Ridge Corporate Center
11100 Wayzata Blvd., Suite 545
Minneapolis, MN 55305
Tel.: 612-756-7010
Fax: 612-756-7050

Dated: October 24, 2023

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that the foregoing Patent Owners' **DECLARATION IN SUPPORT OF PATENT OWNERS' MOTION FOR PRO HAC VICE ADMISSION OF ALAN M. ANDERSON** is being served on October 24, 2023, by filing this document through the Patent Trial and Appeal Case Tracking System (P-TACTS) and by electronic mail as directed by Petitioner upon the following counsel of record for Petitioners:

David B. Conrad
Lance E. Wyatt
Sarika Patel
Fish and Richards LLP
To: IPR53953-0001IP1@fr.com

/Mark E Ungerman/
Mark E. Ungerman
(Reg. No. 32,070)