UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ZYXEL COMMUNICATIONS CORPORATION AND
ZYXEL NETWORKS CORPORATION

Petitioners

v.

ATLAS GLOBAL TECHNOLOGIES LLC

Patent Owner

Case IPR2023-00863
Patent 9,531,520

AFFIDAVIT IN SUPPORT OF MOTION FOR *PRO HAC VICE* ADMISSION OF ERIC J. ENGER UNDER 37 C.F.R. § 42.10(c)

Mail Stop "PATENT BOARD"
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

I, Eric J. Enger, declare under penalty of perjury the following:

1. I am a partner at Heim Payne & Chorush, LLP, 1111 Bagby Street Suite 2100, Houston, TX 77002, which has been retained by Patent Owner Atlas Global Technologies, LLC ("Atlas") in this *inter partes* review.

2. I make this affidavit in support of Patent Owner Atlas's application for my admission *pro hac vice*.

3. I am a member in good standing of the State Bar of Texas. I am also duly admitted to practice law before the United Status Court of Appeals for the Federal Circuit, the United States District Court for the Southern District of Texas, the United States District Court for the Northern District of Texas, the United States District Court for the Eastern District of Texas, the United States District Court for the Western District of Texas, and the United States District Court for the District of Connecticut.

4. I have never been suspended or disbarred from practice before any court or administrative body, nor have I ever had an application for admission to practice before any court or administrative body denied. No sanctions or contempt citations have ever been imposed against me by any court or administrative body.

5. 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.

6. I understand that, upon admission *pro hac vic*e, I will be subject to the United States Patent and Trademark Office ("USPTO") Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 et seq. and to disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

7. I am applying to appear before the Office *pro hac vice* in the following two proceedings: Case No. IPR2023-00863, *Zyxel Communications, et al v. Atlas Global Technologies, LLC* and Case No. IPR2023-00877, *Zyxel Communications, et al v. Atlas Global Technologies, LLC*. Other than these proceedings, I previously applied to appear *pro hac vice* before the Office in two other matters (IPR2022-01520, *Sercomm Corp. v. Atlas Global Technologies, LLC* and IPR2022-01519, *Sercomm Corp. v. Atlas Global Technologies, LLC*), and was granted appearance in both on January 19, 2023.

8. I am an experienced litigation attorney who has served as counsel in numerous patent infringement cases in various district courts over the past eighteen years. I also have an established familiarity with the patent at issue in this IPR, as I am counsel for Atlas in the related district court litigations. I have carefully studied the patent-in-suit, including its prosecution history and related prior art. Additionally, I have an electrical engineering degree and years of relevant experience in the fields of network architectures, computer systems, and software development.

9. If admitted *pro hac vice* on this matter, I will serve as backup counsel for Michael F. Heim of the law firm of Heim Payne & Chorush, LLP. Mr. Heim is lead counsel on this case and is registered to practice before the USPTO.

10. I hereby agree to notify the Board immediately of any matter affecting my standing at the bar of any other court.

11. I hereby respectfully request that the Board grant Patent Owner Atlas's application to permit me to appear and participate *pro hac vice* in this proceeding.

12. I understand that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001. I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 18, 2023

/Eric J. Enger/

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