UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NOKIA OF AMERICA CORPORATION,

Petitioner

v.

ALEXANDER SOTO AND WALTER SOTO,

Patent Owners

Case: IPR2023-00960

U.S. Patent No. 8,238,754

DECLARATION OF MARY I. RIOLO IN SUPPORT OF MOTION FOR *PRO HAC VICE* ADMISSION

I, Mary I. Riolo, declare as follows:

1. I am an attorney with the law firm of Alston & Bird LLP and practice in its IP Litigation group. I have been a practicing attorney since 2022.

2. I am a member in good standing of the State Bar of North Carolina.

3. I have not been suspended or disbarred from practice before any court or administrative body.

4. I have never been denied admission to practice before any court or administrative body.

5. I have never been subject to sanctions or contempt citations imposed 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 Trials, as set forth in title 37, part 42 of the Code of Federal Regulations (C.F.R.).

7. I agree to be subject to the United States Patent and Trademark Office Rules of Professional Responsibility set forth in parts 10 and 11 of 37 C.F.R. and to disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

8. I have not previously applied to appear *pro hac vice* before the Patent Trial and Appeal Board.

9. I have approximately two years of experience litigating intellectual property disputes. I hold a B.S.E.E. degree from the University of South Carolina and a J.D. degree from the University of South Carolina School of Law. My experience includes litigating patents with subject matter similar to and substantially related to the subject matter of U.S. Patent No. 8,238,754 (the "'754 Patent"), the patent-in-suit. I have represented clients in numerous patent infringement lawsuits across the country involving patents in a variety of technical areas, including telecommunications, location determination and tracking systems, and optical network communications. I also represent Petitioner Nokia of America Corporation in the co-pending district court litigation involving the '754 Patent. *NextGen Innovations, LLC v. Nokia of America Corporation, et al.*, Case No. 2:22-cv-00309 (E.D. Tex.).

10. I have an established familiarity with the subject matter at issue in this proceeding. In addition to my general familiarity with the technologies identified in the patent, I was retained as counsel for Petitioner Nokia of America Corporation in this matter and have spent significant time and resources to assist Petitioner in preparing its Petition for *Inter Partes* Review. I have reviewed the '754 Patent in great detail. I have also reviewed the Petition, and the accompanying exhibits, as well as the patent's prosecution history. I have spent significant time reviewing and analyzing prior art related to the '754 Patent, including the prior art upon which this

IPR proceeding is based, and I have corresponded with subject matter experts. I have also reviewed all of the other filings associated with this IPR.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that all statements made herein of my own knowledge are true and that all opinions expressed herein are my own; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Date: June 25, 2024

By: /Mary I. Riolo/
Mary I. Riolo
(*requesting pro hac vice admission*)

COUNSEL FOR NOKIA OF AMERICA CORPORATION

Nokia of America Corporation
IPR2023-00960, Ex. 1039
Ex. 1039.4