Filed on behalf of: AX Wireless, LLC

Entered: May 16, 2024

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTEL CORPORATION,
Petitioner,

v.

AX Wireless, LLC,
Patent Owner.

Case IPR2023-01135
Patent 9,973,361

DECLARATION OF DAVID J. HLAVKA IN SUPPORT OF PATENT OWNER'S UNOPPOSED MOTION FOR *PRO HAC VICE* ADMISSION UNDER 37 C.F.R. § 42.10(c)

I, David J. Hlavka, resident of Washington, District of Columbia, declare as follows:

1. I am an attorney at the firm of Latham & Watkins LLP, counsel of record for AX Wireless, LLC ("Patent Owner"). I have personal knowledge of the facts set forth in this declaration and, if called as a witness, could and would testify competently under oath.

2. I am a member in good standing of the District of Columbia (Bar No. 90006630) and admitted to practice before the Eastern District of Texas.

3. I have never been suspended or disbarred from practice before any court or administrative body. No application of mine for admission to practice before any court or administrative body has ever been denied. No court or administrative body has imposed sanctions or contempt citations against me.

4. I have read, fully understand, 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 Title 37 of the C.F.R. I acknowledge and agree that I will be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

5. I received a B.S. degree in in Mechanical Engineering, from the University of Rochester in 2010. I earned a law degree from Georgetown University in 2022. I joined Latham & Watkins LLP ("Latham") as an associate in 2022.

6. I am currently a member of Latham's intellectual property group, with a focus on patent litigation. I have practiced in Latham's intellectual property group for over 1 year.

7. I have an established familiarity with the subject matter at issue in this proceeding. I have been actively involved in the related district court litigation between the Petitioner and Patent Owner, *AX Wireless LLC, v. Dell Inc*., *and Dell Technologies Inc*., 2:22-cv-00277-RWS-RSP (EDTX), *AX Wireless LLC, v. Lenovo Group Ltd*., 2:22-cv-00280-RWS-RSP (EDTX), *AX Wireless LLC, v. HP Inc*., 2:22-cv-00279- JRG-RSP (EDTX), and *AX Wireless LLC, v. Acer Inc*., 2:23-cv-00041-JRG-RSP (EDTX).

8. U.S. Patent No. 9,973,361 ("'361 patent"), which is at issue in this proceeding, is one of the patents asserted by the Patent Owner in the district court litigation. I have been actively involved in all aspects of the litigation, including Patent Owner's factual investigation and development of its claim construction, validity, and infringement positions regarding the claims of the '361 patent at issue here.

9. I have been actively involved in analyzing and assisting with responding to the Petition for *Inter Partes* Review submitted in this proceeding.

10. I am concurrently applying to appear *pro hac vice* in the following proceedings before the USPTO: Case Nos. IPR2023-01136, -01137, -01138, -01139, and -01145.

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. I further declare that these statements were 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. I declare under penalty of perjury that the foregoing is true and correct.

Executed this 16th day of May, 2024, in Washington, District of Columbia.

By: / David. J. Hlavka /
David J. Hlavka