

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,
Petitioner,

v.

INTERDIGITAL PATENT HOLDINGS, INC.,
Patent Owner.

Case IPR2024-00306
U.S. Patent No. 9,173,054

**CORRECTED DECLARATION¹ OF SHELBY A. STEPPER
IN SUPPORT OF MOTION FOR *PRO HAC VICE* ADMISSION**

¹ This Corrected Declaration is submitted pursuant to Board authorization provided in an email dated November 1, 2024. This Corrected Declaration addresses deficiencies in the declaration submitted October 24, 2024, as Exhibit 1083.

I, Shelby A. Stepper, being duly sworn and upon oath, hereby attest to the following:

1. I am a member in good standing of the Bar of the State of Oregon.
2. I am admitted to practice before the United States Court of Appeals for the Federal Circuit.
3. I have not been suspended or disbarred from practice before any court or administrative body.
4. I have never had an application for admission to practice before any court or administrative body denied.
5. No sanctions or contempt citations have been imposed against me by any court or administrative body.
6. I have read and will comply with the United States Patent and Trademark Office (“USPTO”) Patent Trial Practice Guide and the Board’s Rules of Practice for Trials set forth in part 42 of 37 C.F.R.
7. 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).
8. In the last three (3) years, I have applied to appear *pro hac vice* before the USPTO in the following proceedings:

- *Abbott Diabetes Care Inc. v. Dexcom, Inc.*, IPR2022-00908, Paper 8, filed July 6, 2022 (the Board never issued an order deciding this motion);
- *Microsoft Corporation v. InterDigital Patent Holdings, Inc.*, IPR2024-00305, Paper 27, filed October 24, 2024 (a Corrected Motion is being filed on November 15, 2024).

9. I am an experienced litigation attorney, with over three years of experience litigating intellectual property cases in federal courts. My experience includes representing a wide range of clients in complex patent litigation.

10. I, through working with lead counsel in this proceeding, have reviewed and am very familiar with (i) U.S. Patent No. 9,173,054, the patent at issue in this matter, (ii) the prior art relied upon by Petitioner, (iii) the legal and factual arguments made by the Petitioner, and (iv) the developments in this proceeding after the filing of the Petition as well as the developments in related matters before the Board. My original declaration (Exhibit 1083) erroneously indicated that I worked on “the drafting of the petition.” This resulted from a clerical error that I neglected to notice prior to signing that original declaration. I, Shelby Stepper, am personally responsible for this oversight and personally apologize to the Board for my mistake, which I first noticed when preparing this Corrected Declaration. Nonetheless, through my work with lead counsel, I have established legal and technical familiarity

with the Petition, the subject matter at issue in this proceeding, as well as familiarity with the conduct of this proceeding to date.

11. If admitted *pro hac vice* in this proceeding, for the duration of this proceeding, I will notify the Board in writing within five business days upon the occurrence of any event listed in 37 C.F.R. § 42.310(c)(3).

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 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.

Dated: November 15, 2024

/Shelby A. Stepper/
Shelby A. Stepper

CERTIFICATE OF SERVICE
IN COMPLIANCE WITH 37 C.F.R. § 42.6 (E)(4)

The undersigned certifies that on November 15, 2024, a complete copy of the **CORRECTED DECLARATION OF SHELBY A. STEPPER IN SUPPORT OF MOTION FOR *PRO HAC VICE* ADMISSION** was served on counsel for the Patent Owner via electronic mail as follows:

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