UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DISH NETWORK LLC,
Petitioner,

v.

ENTROPIC COMMUNICATIONS, LLC,
Patent Owner.

IPR2024-00462
Patent 7,889,759 B2

DECLARATION OF MICHAEL J. BALLANCO IN SUPPORT OF PETITIONER'S UNOPPOSED MOTION FOR *PRO HAC VICE* ADMISSION

DISH 1031
Dish v. Entropic
IPR2024-00462

I, Michael J. Ballanco, being duly sworn and upon oath, hereby declare the following:

1. I am a member in good standing of the State Bar of Virginia, District of Columbia, USDC Eastern District of Virginia, USDC Western District of Virginia, USDC Eastern District of Texas, and the United States Court of Appeals for the Federal Circuit.

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

3. I have never had an application for admission to practice before any court or administrative body denied.

4. No sanction or contempt citation has 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 the Code of Federal Regulations.

6. 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).

7. In the past three years, I have applied for *pro hac vice* admission before the Board in the following cases: *Samsung Electronics Co., Ltd. v. DoDots Licensing Solutions LLC*, IPR2023-00621; *Samsung Electronics Co., Ltd. v. DoDots*

Licensing Solutions LLC, IPR2023-00701; and *Samsung Electronics Co., Ltd. v. DoDots Licensing Solutions LLC*, IPR2023-00756.

8. I am an experienced litigation attorney with over 9 years of experience representing clients in cases involving computer software and systems. I regularly litigate patent cases before various U.S. district courts around the country, the International Trade Commission, and the Court of Appeals for the Federal Circuit. Through my experience in patent litigation matters, I have represented clients in many phases of litigation including discovery, Markman hearings, jury trials, bench trials, and appeals. My biography is attached hereto as Appendix A.

9. I am intimately familiar with the issues and subject matter presented in this above-captioned inter partes review proceeding. For example, I have extensively reviewed the above identified patent, its prosecution history, the Petition for IPR (including the invalidity grounds therein, and the cited references) and all exhibits filed in this case.

10. I declare that all statements made herein of my knowledge are true, and that all statements made on information and belief are believed to be true, and 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.

Respectfully submitted,

Date: August 7, 2024

/Michael J. Ballanco/

Michael J. Ballanco
Fish & Richardson P.C.
1000 Maine Avenue SW
Washington, DC 20024
Tel: (202) 626-6413
Email: ballanco@fr.com

APPENDIX A

Michael J. Ballanco

Principal
Washington, D.C.
202-626-6413
ballanco@fr.com

Overview

Michael J. Ballanco is a litigator with extensive experience across a range of venues, including District Court, the Federal Circuit Court of Appeals, the International Trade Commission, and the Patent Trial and Appeal Board. Known for his flexibility, Michael's broad experience allows him to play a variety of roles when preparing for trial and to provide leadership and support across the entire case team.

In addition to his patent litigation work, Michael has experience with trademark litigation and disputes surrounding patent license agreements. In recent years, Michael has also done extensive work in the patent damages arena, helping his clients determine the potential damages at stake in litigation across a range of industries and technologies. In one significant matter in which he represented a large technology company, he successfully petitioned to exclude both opposing damages experts, which ultimately prevented the matter from going to trial. Michael also participated in the appeal of the damages decision, which was affirmed by the Federal Circuit.

Michael's talent for appellate representation stems in part from several years of experience as a judicial law clerk for the Honorable Kara F. Stoll of the U.S. Court of Appeals for the Federal Circuit, where he has briefed and argued cases.

Beyond his litigation work, Michael's practice includes pro bono representation of death row inmates seeking to overturn wrongful convictions. In his free time, Michael enjoys collecting vinyl records and hiking and skiing with his three children.

Recognitions & awards

Ones to Watch

Best Lawyers 2022-2024

Professional associations

Giles Rich Inn of Court, Member

Insights

Blog | March 13, 2015
ITC Says it Has the Power to Stop Infringing Transmissions of Digital Materials

News

August 17, 2023
101 Fish Attorneys Included in the 2024 Edition of *The Best Lawyers in America*

August 22, 2022
96 Fish Attorneys Included in the 2023 Edition of *The Best Lawyers in America*

January 5, 2022
Fish & Richardson Elevates 17 Attorneys to Principal

August 19, 2021
Fish Attorneys Recognized in 2022 Edition of *The Best Lawyers in America*

April 7, 2021
Thirty Fish Attorneys Named to 2020 Capital Pro Bono Honor Roll

March 2, 2021
Fish & Richardson Secures Denial of IPR Petitions on Behalf of Moskowitz Family LLC in Spinal Surgery Patent Dispute

Additional insights

Publications

- "Searching for the First Amendment: An Inquisitive Free Speech Approach to Search Engine Rankings," 24 *MASON U. C.R. L.J.* 89 (Fall 2013)

Speaking engagements

- "Federal Circuit and Supreme Court Yearly Review" *Fish Litigation Webinar* (October 2018)

Media mentions

- "Are Winds Of Change Finally Blowing On Patent Eligibility?" *Law360* (December 21, 2022)

Services

Litigation
Patent Litigation
Trademark, Copyright & Media Litigation
Appellate

Industries

Electrical & Computer Technology
Software & Internet
Hardware
Semiconductors
Telecommunications

Admissions

Virginia
District of Columbia
U.S. Court of Appeals for the Federal Circuit

U.S. District Court for the Eastern District of Virginia
U.S. District Court for the Western District of Virginia

Clerkships

U.S. Court of Appeals for the Federal Circuit, The Honorable Kara F. Stoll, 2015-2017

Education

J.D. *magna cum laude*, George Mason University School of Law (2014) Editor-in-Chief, *George Mason University Civil Rights Law Journal*; Recipient, Law School Service Award
B.S. *cum laude*, Computer Science, concentration in Business, Lehigh University (2008)

Copyright © 2024 Fish & Richardson P.C.