

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MEDIATEK INC.,
Petitioner,

v.

MOSAID TECHNOLOGIES INC.,
Patent Owner.

Case IPR2024-00599
Patent 7,224,563

DECLARATION OF DAVID A. NEAL

I, David A. Neal, declare as follows:

1. I am a member in good standing of the State Bars of Virginia, Arizona, and the District of Columbia. I have been admitted to practice in the U.S. District Court for the Eastern District of Texas. I currently practice federal law related to patent litigation in Texas under the supervision of Texas-licensed attorneys, including David W. Higer, lead counsel for Patent Owner in this IPR. My application for license to the State Bar of Texas has been approved as of October 21, 2024 pending my completion of the Texas Law Component course. I am currently preparing to take the exam for registration to practice before the United States Patent and Trademark Office (also known as the USPTO Bar Exam) and, either after I pass the USPTO Bar Exam and become registered or if my *pro hac vice* motion is granted, I will qualify as a Legal Experience and Advancement Program (LEAP) practitioner for this proceeding. I intend to take the USPTO Bar Exam in 2024 or early 2025.

2. I have never 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. I have had no sanctions or contempt citations imposed against me by any court or administrative body.

5. I have read and will comply with the Office Patent Trial Guide and the Board's Rules of Practice for Trials set forth in Part 42 of Title 37 Code of Federal Regulations.

6. I agree to be subject to the 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 have not applied to practice before the Board *pro hac vice* in any other proceeding.

8. I am experienced with the subject matter and patent-at-issue in this proceeding, U.S. Patent No. 7,224,563 (the "'563 Patent"), including its prosecution history and the scientific field to which the '563 Patent is addressed. I have earned the Ph.D. in electrical engineering from Utah State University in 2017. I have made use of both my legal and technical background, including my Ph.D., in developing my understanding of the '563 Patent, its prosecution history, and the scientific field to which the '563 Patent is addressed.

9. Although I have not yet made an appearance in the related district court case for the '563 Patent, I have worked on claim construction, infringement, and invalidity issues in that case, including for the '563 Patent, which gives me specific experience with the subject matter of this IPR. For clarity, I have not yet appeared in the related district court case, *pro hac vice* or otherwise, out of an abundance of caution because I currently practice law in Texas and I am still finalizing my admission to the Texas State Bar. My work on the district court case has been supervised by Texas-licensed attorneys, including Mr. Higer.

10. I have experience advising clients on the validity and infringement of patents, working with experts, and developing strategies related to the prosecution and enforcement of patents, through which I have developed a thorough understanding of the '563 Patent, the relevant art, and the scientific field.

11. I am a litigating attorney with more than four years of experience in private practice in the U.S. During this time, I have gained experience representing clients in varying kinds of motion practice. I have experience with patent litigation, having served as counsel in complex patent litigation matters, including claim construction and other patent-related pleadings concerning patent invalidity and infringement issues. I have not participated in any substantive arguments before any

federal tribunal, including the PTAB, and therefore will qualify as a Legal Experience and Advancement Program (LEAP) practitioner if I am admitted *pro hac vice*.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: October 30, 2024

By: /s/ David A. Neal
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