

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CAPITAL ONE, NATIONAL ASSOCIATION,
Petitioner,

v.

IMPLICIT, LLC,
Patent Owner.

Case IPR2024-00878
U.S. Patent No. 7,774,740

**DECLARATION OF JONAH HEEMSTRA IN SUPPORT OF
MOTION FOR *PRO HAC VICE* ADMISSION**

I, Jonah Heemstra, hereby declare as follows:

1. I am an intellectual property litigation attorney at K&L Gates LLP, and experienced in conducting technical infringement and validity analyses, briefing claim construction issues, and preparing for *Markman* hearings.

2. I am a member in good standing of the Bar of the State of Illinois. I am also admitted to practice before the U.S. District Courts for the Northern and Central Districts of Illinois, and the United States Court of Appeals for the Federal Circuit.

3. I have never been suspended or disbarred from practice before any court or administrative body.

4. I have not had an application for admission to practice before any court or administrative body denied, nor has any court or administrative body imposed sanctions or contempt citations against me.

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 37 C.F.R.

6. I agree to be subject to the United States Patent and Trademark Office's 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 (3) years, I have applied to appear *pro hac vice* before the U.S. Patent and Trademark Office in the following matters: IPR2022-00601 and

IPR2022-00602. I am concurrently applying for *pro hac vice* admission in IPR2024-00643 and IPR2024-00787.

8. I am familiar with the subject matter of U.S. Patent No. 7,774,740, and have reviewed in detail the patent, pleadings, and exhibits in the instant proceeding.

I hereby declare that all statements made 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 the Title 18 of the United States Code.

Executed on: June 6, 2024

By: /Jonah Heemstra/
Jonah Heemstra
K&L Gates LLP
70 W. Madison Street
Chicago, IL 60602
T: (312) 807-4318
F: (312) 827-8000
jonah.heemstra@klgates.com