UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Bote, LLC,
Petitioner

v.

Twitch LLC,
Patent Owner.

IPR2024-00889
U.S. Patent No. 10,479,458

DECLARATION OF DOUGLAS A. GRADY IN SUPPORT OF MOTION FOR ADMISSION *PRO HAC VICE*

I, Douglas A. Grady, declare:

1. I am a member in good standing of the Bar of the State of Washington. I have also been admitted to practice in the following courts: United States Supreme Court; United States Court of Appeals for the Federal Circuit; United States Court of Appeals for the Fifth Circuit; United States Court of Appeals for the Eighth Circuit; United States Court of Appeals for the Ninth Circuit; and United States District Court for the Western District of Washington.

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. 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 Title 37, 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. Within the past three years, I have not applied to appear *pro hac vice* before the Office in an *inter partes* review proceeding.

8. I have been practicing law in the field of intellectual property, and particularly, patent litigation, for 20 years. I regularly litigate patent infringement cases before the United States Court of Appeals for the Federal Circuit and in various federal district courts. I have substantial experience in jury trials, discovery, claim construction, summary judgment, and appeals.

9. I have particular experience and familiarity with the substance and technical issues involved in this *inter partes* review. I currently represent Petitioner in *Twitch LLC v. Bote, LLC*, No. 6:24-cv-00233-KC (W.D. Tex. filed May 3, 2024), a lawsuit for patent infringement that involves the same technical subject matter as the subject matter disclosed and claimed by U.S. Patent No. 10,479,458, the patent at issue in this *inter partes* review, as well as the related Patent No. 9,862,466.

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 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 State Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

Date: August 4, 2024

/Douglas A. Grady/

Douglas A. Grady
dgrady@bakerlaw.com
BAKER & HOSTETLER LLP
999 Third Avenue, Suite 3900
Seattle, WA 98104-4040
Telephone: (206) 566-7120