UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HULU, LLC,
Petitioner,

v.

PIRANHA MEDIA DISTRIBUTION, LLC,
Patent Owner.

Case IPR2024-01253
Patent 11,463,768

DECLARATION OF ZACHARIAH HIGGINS IN SUPPORT OF PATENT OWNER'S NOTICE OF INTENT TO DESIGNATE PROVISIONALLY RECOGNIZED PTAB ATTORNEY ZACHARIAH HIGGINS AS BACKUP COUNSEL UNDER 37 C.F.R. § 42.10(c)(2)

I, Zachariah Higgins, declare as follows:

1. I am an attorney licensed to practice law in the State of California.

2. I am a member in good standing in all jurisdictions where I have been admitted to practice.

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

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

5. I have never had any sanctions or contempt citations imposed upon me by any court or administrative body.

6. 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.

7. I agree to be subject to the U.S.P.T.O. 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. I am a partner at the law firm of Kramer Alberti Lim & Tonkovich LLP.

9. I have practiced law in California since 1997, and the majority of my practice has consisted of patent litigation and other patent related matters such as PTAB litigations and matters before multiple federal district courts.

Representative patent litigations where I have been actively involved as patent litigation counsel include:

- *Medtronic, Inc. v. Guidant Corporation, et al.*, 4-01-cv-02494 (N.D. Cal.).
- *Echostar Communicati, et al v. Gemstar-TV Guide, et al*, 1-01-cv-02426 (N.D. Ga.).
- *Medtronic, Inc. v. Endoscopic Technologies, Inc.*, 4-03-cv-03337 (N.D. Cal.).
- *TiVO Inc. v. Echostar Comm. et al,* 2-04-cv-00001 (E.D. Tex.).
- *Teleshuttle Technologies, LLC et al v. Microsoft Corporation et al*, 5-04-cv-02928 (N.D. Cal.).
- *Antor Media Corporation v. Nokia, Inc. et al*, 2-05-cv-00186 (E.D. Tex.).
- *Creative Technology Ltd. v. Apple Computer, Inc.*, 4-06-cv-03218 (N.D. Cal.).
- *The Receivership Estate of AudienceScience Inc. et al v. Google LLC et al*, 6-21-cv-01209 (W.D. Tex.).
- *Wildseed Mobile LLC v. Google LLC et al*, 6-21-cv-01245 (W.D. Tex.).

- *Wildseed Mobile LLC v. Google LLC et al*, 6-22-cv-000357 (W.D. Tex.).
- *Certain Digital Set-Top Boxes and Systems and Services Including the Same*, Inv. No. 337-TA-1315 (I.T.C.).
- *The Receivership Estate of AudienceScience Inc. et al v. Google LLC et al*, 5-22-cv-04756 (N.D. Cal.).
- *Wildseed Mobile LLC v. Google LLC et al*, 3-22-cv-04928 (N.D. Cal.).
- *Piranha Media Distribution LLC v. Hulu LLC*, 2-24-cv-00498 (C.D. Cal.).
- *Keyless Licensing LLC v. Samsung Electronics America, Inc. et al*, 2-24-cv-00464 (E.D. Tex.).

10. My experience in post-grant patent proceedings includes drafting patent owner responses, taking depositions, and presenting oral arguments before the Board. Representative matters where I am or was actively involved include:

- *Google LLC f/k/a Google Inc. v. Wildseed Mobile LLC*, IPR2023-00248 (P.T.A.B.).
- *Google LLC f/k/a Google Inc. v. Wildseed Mobile LLC*, IPR2023-00247 (P.T.A.B.).

- *Hulu LLC v. Piranha Media Distribution, LLC*, IPR2024-01252 (P.T.A.B.).
- *Hulu LLC v. Piranha Media Distribution, LLC*, IPR2025-00081 (P.T.A.B.).
- *Hulu LLC v. Piranha Media Distribution, LLC*, IPR2025-00082 (P.T.A.B.).

11. I have previously been granted admission by the PTAB to appear *pro hac vice* in the following matters before the U.S.P.T.O:

- *Google LLC f/k/a Google Inc. v. Wildseed Mobile LLC*, IPR2023-00248 (P.T.A.B.).
- *Google LLC f/k/a Google Inc. v. Wildseed Mobile LLC*, IPR2023-00247 (P.T.A.B.).

12. I am concurrently applying for *pro hac vice* admission in the following matters:

- *Hulu LLC v. Piranha Media Distribution, LLC*, IPR2024-01252 (P.T.A.B.).
- *Hulu LLC v. Piranha Media Distribution, LLC*, IPR2025-00081 (P.T.A.B.).
- *Hulu LLC v. Piranha Media Distribution, LLC*, IPR2025-00082 (P.T.A.B.).

13. Other than the matters identified in ¶¶ 11-12 *supra*, I have not applied to appear *pro hac vice* in any other proceedings before the U.S.P.T.O. in the last three years.

14. I have an established familiarity with the subject matter at issue in this proceeding. I have reviewed the Patent at issue as well as the Petition, the relevant art in this matter, and all other papers in the proceeding to date that have addressed the merits.

15. I further understand that I have a continuing duty to notify the Board in writing within five business days if: (i) I am sanctioned, cited for contempt, suspended, disbarred, or denied admission by any court or administrative agency; (ii) I no longer qualify as a member in good standing of the Bar of at least one State or the District of Columbia; or (iii) any other event occurs that renders materially inaccurate or incomplete any representation that I made to the Board in connection with this request for pro hac vice recognition other than subsequent applications for pro hac vice recognition unless such an application is denied.

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 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.

/ Zachariah Higgins /

Zachariah Higgins
KRAMER ALBERTI LIM & TONKOVICH LLP

Date: February 18, 2025