

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CHARTER COMMUNICATIONS, INC.,

Petitioner

v.

ADAPTIVE SPECTRUM AND SIGNAL ALIGNMENT, INC.,

Patent Owner

Case No. IPR2024-01379

U.S. Patent No. 7,809,996 B2

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Patent Trial and Appeal Board
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

**DECLARATION OF JOSEPH DRAYTON
IN SUPPORT OF PETITIONER'S
UNOPPOSED MOTION FOR *PRO HAC VICE* ADMISSION
OF JOSEPH DRAYTON
UNDER 37 C.F.R. § 42.10**

I, Joseph M. Drayton, declare as follows:

1. I am an attorney licensed to practice law in the State of Maryland, the State of New York, and the District of Columbia.
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 Proskauer Rose LLP.
9. I have practiced law in the District of Columbia (2009), the State of Maryland (1998), and the State of New York (1998), and part of my practice has consisted of patent litigation and other patent related matters such as PTAB

litigations. A noncomprehensive list of representative patent litigations where I have been actively involved as patent litigation counsel include:

- *WAG Acquisition, L.L.C. v. Google LLC*, No. 3-22-cv-05772 (N.D. Cal.)
- *Trackthings LLC v. Netgear, Inc.*, No. 1-22-cv-00981 (D. Del.)
- *Uniloc 2017 LLC v. Google LLC*, No. 2-18-cv-00495 (E.D. Tex.)
- *Match Group, LLC v. Bumble Trading Inc.*, No. 6-18-cv-00080 (W.D. Tex.)
- *RSB Spine, LLC v. DePuy Synthes Sales, Inc.*, No. 1-19-cv-01515 (D. Del.)

10. My experience in post-grant patent proceedings includes drafting Petitions for *Inter Partes Review*, responses and taking depositions. Representative matters where I am or was actively involved include:

- *Google LLC f/k/a Google Inc. v. WAG Acquisition, LLC*, IPR2022-01411 (PTAB)
- *Bumble Trading, LLC v. KinectUs LLC*, IPR2021-01014 (PTAB)
- *Apple Inc. et al. v. Global Touch Solutions, LLC*, IPR2015-01171 (PTAB)

- *EMC Corp. v. ACQIS LLC*, IPR2014-01469 (PTAB)

11. I have previously been admitted to appear, pro hac vice, in the following matters before the U.S.P.T.O:

- *Bumble Trading, LLC v. KinectUs LLC*, IPR2021-01014 (PTAB)
- *Bumble Trading, LLC v. KinectUs LLC*, IPR2021-00900 (PTAB)
- *Bumble Trading, LLC v. KinectUs LLC*, IPR2021-00901 (PTAB)
- *Bumble Trading, LLC v. KinectUs LLC*, IPR2021-00765 (PTAB)
- *Bumble Trading, LLC v. KinectUs LLC*, IPR2021-00766 (PTAB)
- *Bumble Trading, LLC v. KinectUs LLC*, IPR2021-00763 (PTAB)
- *Bumble Trading, LLC v. KinectUs LLC*, IPR2021-00764 (PTAB)

12. 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 and the relevant art in this matter.

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.

/Joseph M. Drayton/

Joseph M. Drayton

March 7, 2025