

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

X CORPORATION,
Petitioner,

v.

STERLING COMPUTERS CORPORATION,
Patent Owner.

Case No. IPR2025-00299
U.S. Patent No. 7,716,217

**DECLARATION OF ETHAN L. PLAIL IN SUPPORT OF
PETITIONER'S UNOPPOSED MOTION FOR
PRO HAC VICE ADMISSION UNDER 37 C.F.R. § 42.10(c)**

I, Ethan L. Plail, resident of Washington D.C., declare as follows:

1. I am an attorney at the firm of White & Case LLP, counsel of record for Petitioner X Corporation (“Petitioner”). I have personal knowledge of the facts set forth in this declaration and, if called as a witness, could and would testify competently under oath.

2. I am a member in good standing of the New York State Bar (Bar No. 5719299) and District of Columbia Bar (Bar No. 1686513).

3. I have never been suspended or disbarred from practice before any court or administrative body. No application of mine for admission to practice before any court or administrative body has ever been denied. No court or administrative body has imposed sanctions or contempt citations against me.

4. 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 of the C.F.R. I acknowledge and agree that 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).

5. I received a Bachelor of Science degree in Chemical Engineering from the University of Florida in 2015. I earned a law degree from Georgetown University Law Center in 2018.

6. I am a member of White & Case's intellectual property group, with a focus on patent litigation, where I have practiced for over one year.

7. I have been actively involved in the related district court litigation between the Petitioner and Patent Owner, *Sterling Computers Corporation v. X Corp.*, Case No. 1:24-cv-00552.

8. U.S. Patent No. 7,716,217 ("217 patent"), which is at issue in this proceeding, was one of the patents asserted by the Patent Owner in the district court litigation. I have been actively involved in all aspects of the litigation, including Petitioners' factual investigation and development of its claim construction, invalidity, and non-infringement positions regarding the claims of the '217 patent at issue here.

9. I applied to appear *pro hac vice* before the Office in the last three years in the following proceedings:

- *Peloton Interactive, Inc. v. Mad Dogg Athletics, Inc.* IPR2022-00016
- *Peloton Interactive, Inc. v. Mad Dogg Athletics, Inc.* IPR2022-00017

10. I have also been actively involved in analyzing and assisting with the Petition for *Inter Partes* Review submitted in this proceeding.

11. 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. 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 Title 18 of the United States Code. I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 30, 2025, in Washington D.C.

By: / Ethan L. Plail /
Ethan L. Plail