

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SANDISK TECHNOLOGIES, INC.,

Petitioner,

v.

LONGITUDE FLASH MEMORY SOLUTIONS LTD.,

Patent Owner.

IPR2025-01281

U.S. Patent No. 11,456,365

**DECLARATION OF JONATHAN DEFOSSE IN
SUPPORT OF *PRO HAC VICE* ADMISSION**

I, Jonathan DeFosse, declare as follows:

1. I am an attorney licensed to practice law in the State of Virginia 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 for admission to practice before any court or administrative body denied.
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 title 37 of the Code of Federal Regulations.
7. I agree to 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).
8. I am a Partner in the Intellectual Property Practice Group at Sheppard, Mullin, Richter, & Hampton LLP.

9. I have practiced law in Washington, D.C. since 2002, and the majority of my practice over the past 15 years has consisted of patent litigation and other patent related matters, including post grant proceedings before the Patent Trial and Appeal Board and matters before the United States Court of Appeals for the Federal Circuit. Representative patent litigations where I have been actively involved as patent litigation counsel include:

- *Kruse Technology Partnership v. Daimler AG, et. al.*, 8-10-cv-01066 (C.D. Cal.);
- *Ibormeith, LLC v. Mercedes-Benz USA, LLC, et. al.*, 2-10-cv-05378 (D.N.J.);
- *Klausner Technologies, Inc. v. Alcatel-Lucent USA, Inc., et. al.*, 6-11-cv-00231 (E.D. Tex.);
- *Bear Creek Technologies, Inc. v. Primus Telecommunications, Inc. et al.*, 2-11-cv-00461 (E.D. Va.);
- *PJC Logistics LLC v Mercedes-Benz USA LLC*, 12-cv-00235 (D. Minn.);
- *Bear Creek Technologies, Inc. v. Primus Telecommunications, Inc. et al.*, 1-12-cv-00567 (D. Del.);
- *Norman IP Holdings, LLC v. Mercedes-Benz USA, LLC*, 6-12-cv-00511 (E.D. Tex.);
- *TQP Development, LLC v. Mercedes-Benz USA, LLC*, 2-13-cv-00210 (E.D. Tex.);
- *TQP Development, LLC v. Mercedes-Benz Financial Services USA LLC*, 2-13-cv-00211 (E.D. Tex.);
- *American Vehicular Sciences LLC v. Mercedes-Benz US Int'l, Inc. et al.*, 6-13-cv-00307, -00308, -00309, -00310 (E.D. Tex.);

- *Vehicle Intelligence and Safety LLC v. Mercedes-Benz USA, LLC et al.*, 1-13-cv-04417 (N.D. Ill.);
- *MyMedicalRecords, Inc. v. WebMD Health Corp. et al.*, 2-13-cv-07285 (C.D. Cal.);
- *Signal IP, Inc. v. Mercedes-Benz USA, LLC et al.*, 2-14-cv-03109 (C.D. Cal.);
- *Innovative Display Technologies LLC v. Mercedes-Benz US Int'l, Inc et al.*, 2-14-cv-00535 (E.D. Tex.);
- *Advanced Media Networks, LLC v. Mercedes-Benz USA, LLC*, 1-15-cv-00410 (D. Del.);
- *nGimat Co. v. Mercedes-Benz USA, LLC*, 1-15-cv-01807 (N.D. Ga.);
- *Blackbird Tech LLC v. Via Transportation, Inc.*, 1-16-cv-00589 (D. Del.);
- *Hong Kong uCloudlink Network Technology Limited et al v. SIMO Holdings Inc. et al.*, 3-18-cv-05031 (N.D. Cal.);
- *Tijerino v. Spotify USA, Inc.*, 2:24-cv-02290 (E.D. La.);
- *Semiconductor Energy Laboratory Co., Ltd. v. Visionox Tech., Inc., et al.*, 5:24-cv-02729 (N.D. Cal.);
- *Concurrent Ventures, LLC, et al., v. Advanced Micro Devices, Inc., et al.*, 1:24-cv-00335 (W.D. Tex.);
- *Qorvo, Inc. v. Akoustis Techs., Inc., et al.*, 1:21-cv-01417 (D. Del.);
- *Akoustis Techs., Inc., et al. v. Qorvo, Inc.*, 2:23-cv-00180 (E.D. Tex.);
- *Atlas Global Techs. LLC v. OnePlus Technology (Shenzhen) Co., Ltd.*, 6:21-cv-01217 (W.D. Tex.);
- *Bioness Inc. v. Aretech, LLC*, 1:22-cv-00679 (E.D. Va.);
- *Bell Northern Research, LLC v. HMD America, Inc., et al.*, 1:22-cv-21035 (S.D. Fla.); and

- *New York Packaging v. Unistar Plastics*, 1:22-cv-02741 (D.D.C.).

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

- *Mercedes-Benz USA, LLC v. American Vehicular Sciences LLC* (IPR2014-00643, -00644, 00645, -00646, -00647);
- *Mercedes-Benz USA, LLC v. Innovative Display Technologies LLC* (IPR2015-00359, -00360, 00361, -00363, 00366, 00368, 00994, -01044, -01067, -01113, -01114, -01115);
- *Mercedes-Benz USA, LLC v. SIGNAL IP, INC.* (IPR2015-00890, -00941);
- *Mercedes-Benz USA LLC v. Advanced Media Networks, LLC* (IPR2016-01253, -01255);
- *Intel Corp. v. Godo Kaisha IP Bridge 1* (IPR2018-00662);
- *Formfactor, Inc. v. Feinmetall GmbH* (IPR2019-00080, -00081, -00082);
- *SIMO Holdings Inc. et al v. Hong Kong uCloudlink Network Technology Limited et al.* (IPR2019-01503, -01504);
- *Netflix, Inc. v. Broadcom Corp.* (IPR2020-01423);
- *Netflix, Inc. v. Avago Technologies International Sales Pte. Ltd.* (IPR2020-01647);
- *Netflix, Inc. v. Avago Technologies International Sales Pte. Ltd.* (IPR2021-00045);
- *Netflix, Inc. v. Avago Technologies International Sales Pte. Ltd.* (IPR2021-00431);

- *Netflix, Inc. v. Broadcom Corp.* (IPR2021-00468);
- *Netflix, Inc. v. CA, Inc.* (IPR2021-01319);
- *RideCo, Inc. v. Via Transportation, Inc.* (IPR2022-00286);
- *RideCo, Inc. v. Via Transportation, Inc.* (IPR2022-00740); and
- *Qorvo, Inc. v. Cornell Research Foundation, Inc.* (IPR2024-00758).

11. I have been previously admitted to appear, *pro hac vice*, in the following matters before the Office:

- *Mercedes-Benz USA, LLC v. American Vehicular Sciences LLC* (IPR2014-00643, -00644, -00645, -00646, -00647);
- *Daimler AG v. Signal IP* (IPR2015-00890, -00941);
- *Netflix, Inc. v. Broadcom Corp.* (IPR2020-01423);
- *Netflix, Inc. v. Avago Techs. Int'l Sales Pte. Ltd.* (IPR2021- 00045, - 00431);
- *Netflix, Inc. v. CA, Inc.* (IPR2021-01319);
- *RideCo, Inc. v. Via Transportation, Inc.* (IPR2022-00286); and
- *RideCo, Inc. v. Via Transportation, Inc.* (IPR2022-00740).

12. I have previously applied for admission, *pro hac vice*, in the following matters before the Office, which were terminated before the application was granted:

- *Mercedes-Benz U.S. Int'l, Inc. v. Innovative Display Techs. LLC* (IPR2015-00359, -00361, -00363, -00366, -00368).

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

14. I am familiar with the subject matter and Petition at issue in this proceeding, including the patent, its prosecution history, and the identified references. I assist lead counsel, on this and other proceedings involving patents similarly directed to non-volatile semiconductor memory, in representing Petitioner Sandisk Technologies, Inc.

15. I hereby declare, under penalty of perjury pursuant to 28 U.S.C. § 1746, 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.

Date: September 25, 2025 Respectfully submitted,

SHEPPARD, MULLIN,
RICHTER & HAMPTON LLP

/Jonathan DeFosse/

Jonathan DeFosse
Attorney for Petitioner