

**PI- NET 2023**

Filed on behalf of Pi-Net International, Inc.

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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**Covered Business Method Review of U.S. Patent No. 8,037,158**

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SAP America, Inc.

Petitioner

v.

Pi-Net International, Inc.

Patent Owner

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**CASE CBM 2013-00013**

**Patent 8,037,158**

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**Declaration of Colby B. Springer in Support of**

**Motion for *Pro Hac Vice* Admission**

**Declaration of Colby B. Springer in Support of  
Motion for *Pro Hac Vice* Admission**

I, COLBY B. SPRINGER, hereby declare as follows:

1. I am an attorney licensed to practice law by the State Bar of California (California Bar Number 214868).
2. I am admitted to practice law before the Supreme Court of the United States of America; the United States Court of Appeals for the Ninth Circuit; the United States Court of Appeals for the Federal Circuit; the United States District Courts for the Northern, Central, Southern, and Eastern District of California; the United States District Court for the District of Colorado; the United States District Court for the Eastern District of Texas; and the United States International Trade Commission.
3. I have been admitted *pro hac vice* one or more times before the United States District Court for Arizona; the United States District Court for New Mexico; the United States District Court for Nevada; the United States District Court for the Middle District of Florida; the United States District Court for the Western District of Washington; and the United States District Court for Delaware.

4. I am not admitted to practice before the United States Patent and Trademark Office.
5. I graduated *cum laude* from the University of Notre Dame in Notre Dame, Indiana, in 1998 and the Santa Clara University School of Law in Santa Clara, California, in 2001 with a specialty certificate in high technology law (*i.e.*, intellectual property).
6. I took and passed the California bar exam on my first attempt and began practicing law in August 2001.
7. I served as an adjunct faculty member at the Santa Clara University School of Law in Santa Clara, California, following my graduation in 2001 until approximately 2006. During my time as an adjunct faculty member at the Santa Clara University School of Law, I taught classes in appellate advocacy and appellate brief writing (specifically with respect to intellectual property and patent law), the protection of intellectual property (including patent law), and international intellectual property. As an adjunct faculty member, I taught both candidates for a Juris Doctor (JD) degree as well as candidates seeking a master of laws (LLM) in intellectual property.
8. I have been and continue to be invited to present as a guest lecturer at continuing legal education events like those sponsored by the

Practicing Law Institute (PLI) as well as at panels and programs hosted by the likes of the Santa Clara University School of Law, the University of Nevada Las Vegas, and the University of Arizona. I often speak on matters related to patents and patent litigation, including *inter partes* review.

9. I have published numerous articles on various aspects of intellectual property and litigation. I was a contributing author to the Matthew Bender Practice Guide for *California Unfair Competition and Business Torts*.
10. I am an equity partner in the law firm of Lewis Roca Rothgerber LLP, which is counsel of record in the present *inter partes* review proceeding.
11. Lewis Roca Rothgerber LLP maintains nine offices in six states through the western United States: Albuquerque, New Mexico; Casper, Wyoming; Colorado Springs, Colorado; Denver, Colorado; Las Vegas, Nevada; Phoenix, Arizona; Reno, Nevada; Mountain View, California; and Tucson, Arizona.
12. I am the equity partner in charge of the Mountain View (Silicon Valley) office, which focuses exclusively on intellectual property and intellectual property litigation.

13. In addition to being the equity partner in charge of the Mountain View (Silicon Valley) office for Lewis Roca Rothgerber LLP, I am generally involved in any and all patent litigation matters for which Lewis Roca Rothgerber LLP is counsel of record before any United States District Court, United States Court of Appeal, or other administrative tribunal regardless of which office of Lewis Roca Rothgerber LLP any such litigation originated.
14. My personal practice consists of intellectual property counseling and intellectual property litigation, the latter of which is almost entirely patent litigation.
15. My bar membership is current and I am in good standing before any and all courts in which I am admitted to practice (either by actual admission or *pro hac vice* admission) with no known complaints of misconduct, sanction, or other disciplinary proceeding pending, closed, or otherwise having ever been in existence.
16. I have never been subject to a suspension, disbarment, or any proceeding concerning suspension or disbarment before any court or administrative body.
17. I have never had an application for admission to practice before any court or administrative body denied.

18. I have never had an application for admission to practice *pro hac vice* before any court or administrative body denied.
19. I have never been sanctioned or cited for contempt by any court or administrative body.
20. I have read and reviewed Paper No. 7 in IPR2013-00639 as that paper concerns *pro hac vice* admissions in *inter partes* review proceedings and agree to be bound by any and all requirements set forth therein and as further and explicitly detailed below.
21. I have read all papers of record in the present *inter partes* review proceeding.
22. I have read the *Patent Trial Practice Guide* from the United States Patent and Trademark Office.
23. I will comply with the *Patent Trial Practice Guide* from the United States Patent and Trademark Office.
24. I have read the Patent Trial and Appeal Board Rules of Practice set forth at part 42 of title 37 of the Code of Federal Regulations, including but not limited to 37 C.F.R. § 42.10(c).
25. I will comply with the Patent Trial and Appeal Board Rules of Practice set forth at part 42 of title 37 of the Code of Federal Regulations.

26. I am specifically familiar with the quasi-litigation nature of an *inter partes* review proceeding—including but not limited to limited document discovery, protective orders, motion practice, direction examination via declaration, cross-examination via deposition, oral argument, and the Federal Rules of Evidence.
27. I hereby submit to the disciplinary jurisdiction of the United States Patent and Trademark Office in accordance with 37 C.F.R. § 11.19(a).
28. I have read the United States Patent and Trademark Office's *Rules of Professional Conduct* as set forth at 37 C.F.R. § 1.101 *et seq.*
29. I hereby agree to be governed by the United States Patent and Trademark Office's *Rules of Professional Conduct* as set forth at 37 C.F.R. § 1.101 *et seq.*
30. I have previously been admitted by the United States Patent and Trademark Office to practice *pro hac vice* before the Board of Patent Appeals and Interferences in Interference No. 105,660 (*Novotny v. Tsuboi*).
31. I have applied to appear before the United States Patent and Trademark Office to practice *pro hac vice* in the matters of IPR 2014-00413 and IPR 2014-00414 on March 10, 2014 and IPR 2013-00194 and IPR-2013-00195 on March 11, 2014.



32. I intend to apply to appear before the United States Patent and Trademark Office to practice *pro hac vice* in the following matter upon presentation of the requisite powers of attorney and identification of lead and backup counsel:
- a. CBM 2013-00013 involving U.S. patent number 8,037,158, which involves a patent deriving from the same provisional application: U.S. provisional application 60/006,634 filed November 13, 1995.
33. I am familiar with the subject matter at issue in the present proceeding having worked with Ms. Arunachalam—the named inventor for the patent at issue—in various facets since late 2008 or early 2009.
34. I respectfully request recognition to practice before the Patent Trial and Appeal Board in this matter *pro hac vice*.
35. I agree to, recognize, submit to, and further insist that lead counsel be a registered practitioner for this matter and will not undertake any action before the Patent Trial and Appeal Board without the counsel of that registered practitioner;
36. I will agree to, recognize, and submit to any other conditions that the Patent Trial and Appeal Board may impose as a part of my request to

practice before the Patent Trial and Appeal Board in this matter *pro hac vice*.

37. I believe that in light of the foregoing, I constitute an experienced litigation attorney as required by 37 C.F.R. § 42.10(c).

In accordance with 38 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing statements are true and correct. I understand that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. § 1001) and may jeopardize the validity of the patent at issue herein. All statements made of my own knowledge are true and all statements made on information and belief are believed to be true.

March 11, 2014

Respectfully submitted,

  
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Colby B. Springer  
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