

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DealerSocket, Inc.,
Petitioner

v.

AutoAlert, LLC,
Patent Owner

Case CBM2014-00139
Patent 8,396,791

**DECLARATION OF STERLING A. BRENNAN IN SUPPORT OF
PETITIONER'S RENEWED MOTION FOR *PRO HAC VICE*
ADMISSION**

I, Sterling A. Brennan, declare as follows:

1. I am a member of the law firm Maschoff Brennan Laycock Gilmore Israelsen & Wright, PLLC, which has offices in Salt Lake City and Park City, Utah, and Irvine, California. I have been practicing law, with a focus on patent litigation and other intellectual property matters, since at least 2003. Before joining Maschoff Brennan in 2013, I was a shareholder at Workman Nydegger, a Salt Lake City-based law firm, which I joined in 2003, and preceding that I was a partner in the Irvine, California office of Morrison & Foerster LLP.

2. I am, and continuously have been, a member in good standing of the California State Bar since December 11, 1986, and the Utah State Bar since May 13, 2004. I am admitted to practice in the United States District Courts for the District of Utah and each of the Districts of California; the United States Courts of Appeal for the Federal, Ninth, and Tenth Circuits; and the United States Supreme Court.

3. I have also been admitted *pro hac vice* to numerous federal courts around the country, including, for example, the Eastern District of Texas, the District of Delaware, the District of Maryland, and the District of Oregon.

4. Over the years, I have been lead counsel or, co-lead counsel on numerous patent litigation matters in the above-referenced courts.

5. I have never been suspended, disbarred, sanctioned, nor cited for contempt by any court or administrative body.

6. No court no administrative body has ever denied my application for admission to practice.

7. I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials, as set forth in Part 42 of the C.F.R.

8. I agree to be subject to the USPTO Code of Professional Responsibility set forth in 37 C.F.R. §§ 10.20 et seq. and disciplinary jurisdiction under 37 C.F.R. §11.19(a).

9. I agree to be subject to the USPTO Rules of Professional Conduct as set forth in 37 C.F.R. § 11.101, et. seq.

10. I have not appeared *pro hac vice* in any USPTO proceedings in the last three years.

11. I am familiar with the subject matter of this proceeding. Specifically, I am one of the attorneys representing DealerSocket, Inc. (petitioner in this proceeding) in patent litigation with patent owner AutoAlert, Inc. (“AutoAlert”), in which AutoAlert has alleged that DealerSocket infringes the patent at issue in this proceeding, U.S. Patent No. 8,095,461. The case is *AutoAlert, Inc. v. DealerSocket, Inc.*, Case No. SAC 12-1661 (C.D. Cal.).

12. My fellow law firm shareholder, Richard C. Gilmore, who is registered to practice before the USPTO, will remain as lead counsel in this CBM proceeding, and, if my application is granted, I will become backup counsel.

13. I declare further that statements made in this declaration are of my own knowledge and are true, that all statements made on information and belief are believed to be true, and further 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.

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Respectfully submitted,

/s/ *Sterling A. Brennan*

Sterling A. Brennan

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Dated: November 20, 2014

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing
**DECLARATION OF STERLING A. BRENNAN IN SUPPORT OF
PETITIONER'S RENEWED MOTION FOR *PRO HAC VICE*
ADMISSION**, was served on November 20, 2014, via E-mail on the attorneys of
record for AutoAlert in the Civil Action and to the official correspondence address
for the '791 patent shown in PAIR, as follows:

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