

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COX COMMUNICATIONS, INC.,
Petitioner,

v.

AT&T INTELLECTUAL PROPERTY I, L.P.,
Patent Owner.

Case IPR2015-01227
Patent 7,907,714 B2

MAIL STOP PATENT BOARD
Patent Trial and Appeal Board
United States Patent and Trademark Office
Post Office Box 1450
Alexandria, Virginia 22313-1450

**DECLARATION OF SCOTT W. BERTULLI
IN SUPPORT OF MOTION FOR ADMISSION *PRO HAC VICE***

I, Scott W. Bertulli, declare as follows:

1. I am an attorney licensed to practice law in the Commonwealth of Massachusetts. I am also admitted to practice before the U.S. District Court for the District of Massachusetts.

2. I am a member in good standing of the Bar of the Commonwealth of Massachusetts.

3. I have never been suspended or disbarred from practice before any court or administrative body.

4. I have never been denied admission to practice before any court or administrative body.

5. I have never been subject to sanctions or contempt citations imposed 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, as set forth in title 37, part 42 of the Code of Federal Regulations (C.F.R.).

7. I agree to be subject to the United States Patent and Trademark Office Rules of Professional Responsibility set forth in part 11 of 37 C.F.R. and to disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

8. I am an Associate at the law firm of Proskauer Rose LLP (“Proskauer”). I have been working at Proskauer since 2012.

9. I am a litigating attorney experienced both in this matter and in patent law and patent law litigation generally. I have represented clients in patent infringement actions in various technical fields, such as mobile device technologies, video encoding and transmission, semiconductor manufacturing devices, electronics, and computer software, among other technologies.

10. I have an established familiarity with the subject matter at issue in IPR2015-01227. Specifically, I have reviewed the challenged patent, the Petition, and the accompanying exhibits. I represent Cox Communications, Inc. (“Cox”) in matters relating to its patents, including U.S. Patent No. 7,907,714, which is the patent at issue in this IPR. For example, I represent Cox in *AT&T Intellectual Property I., L.P., et al. v. Cox Communications, Inc., et al.*, Case No. 14-1106-GMS (D. Del.), (the “Delaware Litigation”) filed on August 28, 2014 in the U.S. District Court for the District of Delaware, which involves the patent at issue in this IPR and which is presently stayed in view of this matter. I have been involved in preparing Cox’s patent non-infringement arguments and patent invalidity arguments, including such arguments as they relate to U.S. Patent No. 7,907,714, in the Delaware Litigation. I have drafted the

preliminary invalidity contentions in the Delaware Litigation, and as a result, I have reviewed and am familiar with the invalidity positions and prior art raised both therein and in this proceeding.

11. Through my representation of Cox for at least over the last twelve months, and by working with Cox during that time to understand the technologies at issue, I have acquired substantial understanding of the technology at issue in this IPR, which pertains to accessing and maintaining a telephone service subscriber's profile data that is stored on a network database. My knowledge of this technology has been enhanced by my educational background: in addition to holding a juris doctor degree, I hold a bachelor of science degree in electrical engineering, and a master of science degree in electrical engineering.

12. I declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with full 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.

Executed on January, 5 2016

Respectfully submitted,
Proskauer Rose LLP

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/Scott Bertulli/
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