

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VF OUTDOOR, LLC,
Petitioner,

v.

COCONA, INC.,
Patent Owner.

Case No.: IPR2018-00190

Patent No.: 8,945,287

**DECLARATION OF PETER A. GERGELY IN SUPPORT OF
PETITIONER'S MOTION FOR ADMISSION *PRO HAC VICE***


In support of the Motion for Admission *Pro Hac Vice*, I, Peter A. Gergely, do declare and state as follows:

1. I am a member in good standing of the Colorado State Bar, the United States District Court for the District of Colorado, the United States District Court for the Eastern District of Texas, the United States Court of Appeals for the Federal Circuit, and the United States Supreme Court. I am also a member of the Massachusetts State Bar (inactive status).
2. I have no suspensions or disbarments from practice before any court or administrative body.
3. I have never had any court or administrative body deny my application to practice before said court or administrative body.
4. I have never been sanctioned or cited for contempt by any court or administrative body.
5. 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 37 C.F.R.
6. 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).

7. I have previously been granted admission *pro hac vice* in proceeding No. IPR2015-01776, No. IPR2015-01780, and No. 2015-01785 before the Office.
8. I am partner in the law firm of Merchant & Gould P.C. I have practiced litigation for over twenty-three (23) years and patent litigation almost exclusively for the last fourteen (14) years.
9. I have worked extensively with the development of the invalidity positions regarding the patent at issue for this proceeding, including development and review of the expert declaration supporting the petition. I have a thorough understanding of the patent involved, its prosecution history, the arguments presented by the petitioner, and the underlying prior art.

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, 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.

Dated: December 8, 2017



Peter A. Gergely