

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RESIDEO TECHNOLOGIES, INC. and
CENTRAL SECURITY GROUP - NATIONWIDE, INC.,
Petitioner,

v.

UBIQUITOUS CONNECTIVITY, INC.,
Patent Owner.

Case IPR2019-01335¹
U.S. Patent No. 8,064,935 B2

**AFFIDAVIT OF ANITA M. C. SPIETH IN SUPPORT OF PETITIONER CSG'S
MOTION FOR *PRO HAC VICE* ADMISSION**

¹ As set forth in the Institution Decision (Paper 11), IPR2019-01609 was joined with IPR2019-01335.

I, Anita M. C. Spieth, being duly sworn and upon oath, hereby attest to the following:

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

2. I have not been suspended or disbarred from practice before any court or administrative body.

3. I have never had an application for admission to practice before any court or administrative body denied.

4. No sanction or contempt citation has been imposed against me by any court or administrative body.

5. I have read and will comply with Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials, as set forth in Title 37, Part 42 of the C.F.R.

6.

6. I will be subject to the USPTO Rules of Professional Conduct as set forth in 37 C.F.R. §§ 11.101 et seq. and the USPTO's disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

7. I have not applied for admission *pro hac vice* before the Board in the past three years.

8. I am an experienced litigation attorney with more than 10 years of experience representing clients in patent litigation in various forums including the

U.S. District Court in Massachusetts, Delaware, the Eastern District of Virginia, the Eastern and Northern Districts of Texas, and elsewhere. I am currently a Principal in the Intellectual Property Litigation Practice Group of the Choate Hall & Stewart law firm, and have been involved in multiple patent, trade secret, copyright, and trademark litigations during the course of my career, including those involving biotech and pharmaceutical companies, as well as software, hardware, telecommunications technology companies, and internet service providers. My biography is attached hereto as Appendix A. Moreover, in my practice, I have litigated on behalf of, argued dispositive motions and claim construction hearings, deposed, or defended the depositions of, and otherwise worked with numerous companies, with respect to various technology fields.

9. I am familiar with the subject matter at issue in this proceeding. I have invested a significant amount of time in reviewing and analyzing relevant materials in preparation for representing Central Security Group – Nationwide, Inc. in this proceeding.

10. All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further 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. To the extent relevant, I understand that willful false

statements herein may jeopardize the validity of the present application or any patent issued in reliance thereon.

Respectfully submitted,

Date: September 21, 2020

By:



Anita M. C. Spieth

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CHOATE

Anita Spieth

Principal

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Anita Spieth, Principal in Choate's IP Litigation group, has more than 10 years of experience representing Life Sciences and Technology companies in high stakes patent infringement, trade secrets and other complex IP litigation. She provides an effective and user-friendly case management approach and counsels clients on litigation strategy to achieve their goals. She also represents clients in connection with *inter partes* review proceedings before the USPTO Patent Trial and Appeal Board. In 2019, Ms. Spieth was named a "Next Generation Lawyer" by *Legal 500 US* and a *Massachusetts Super Lawyers* "Rising Star."

EDUCATION

Harvard Law School
JD, 2009

Boston College
BA, 2004, *summa cum laude*,
Phi Beta Kappa

PRACTICE FOCUS**Complex Intellectual Property Disputes**

Counsels leading corporations in patent, trade secret, copyright and trademark litigation, frequently including biotech and pharmaceutical companies as well as software and hardware developers and telecommunications and internet service providers.

REPRESENTATIVE ENGAGEMENTS

- *Shire v. CSL Behring LLC* (D Del.): Counsel to Shire (now Takeda) in patent infringement action relating to use of biologic for treatment of hereditary angioedema. Advised Shire in successfully defending patents in multiple IPRs.
- *Children's Medical Center Corp. v. Celgene Corp.* (D Mass.): Represented Celgene in breach of contract litigation regarding exclusive license agreement related to cancer therapies.
- Advising biotechnology company regarding potential future biosimilar litigation and licensing opportunities.
- Advised clinical-stage biotechnology company, in view of competitor's patents, on freedom-to-operate and litigation-planning strategy with respect to a biologic/medical device combination product.
- Represent intelligent security company and numerous authorized resellers in multiple patent infringement cases, pending nationwide. Represented same entities before the Patent Trial & Appeal Board.
- Represented technology company in numerous misappropriation of trade secret actions relating to enterprise security, eGRC implementations and data storage technology. Cases also involved former employee's violation of non-competition and non-solicitation agreements. Successfully pursued and obtained preliminary injunctions.

ADMISSIONS

Massachusetts

U.S. District Court,
Massachusetts

PRACTICE AREAS

Complex Intellectual Property
Disputes

Life Sciences

- Represented leader in production and supply of reagents for life sciences industry regarding theft of trade secrets by former employees and founders with respect to new company.
- Represented US clothing retailer against claims of copyright infringement involving use of patterned fabric in apparel products.
- Represented US clothing retailer against claims of trademark and trade dress infringement involving logo used on apparel.

PUBLICATIONS AND PRESENTATIONS

- “Best Practices for Remote Proceedings,” *webinar panelist*, Boston Bar Association, May 2020.
- “Accomplishing Your Deposition Goals,” *webinar panelist*, Practicing Law Institute, March 2020.
- “Trade Secrets in an Evolving Landscape: Practice Pointers for Biotech Patent Practitioners,” *moderator*, BIO IPCC Fall Conference, November 2018.
- “Decision Makers,” *speaker*, Boston Patent Law Association, New Hampshire’s Arthur J. Gajarsa Inn of Court, the Boston IP Inn of Court, September 2018.
- “2nd Circ. Set To Weigh in on CFAA Circuit Split,” *co-author*, *Appellate Law360*, July 2015.
- “Common Law v. UTSA: The Last States Standing,” *co-author*, *IP Law360*, April 2012.

PROFESSIONAL AND COMMUNITY INVOLVEMENT

Ms. Spieth is a member of the Boston Bar Association and the Intellectual Property Inn of Court. She is an elected member of the Parks and Recreation Committee of Lincoln, Massachusetts and serves as a board member of Magic Garden Children’s Center.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing **AFFIDAVIT OF ANITA M. C. SPIETH IN SUPPORT OF PETITIONER CSG'S MOTION FOR *PRO HAC VICE* ADMISSION** was served electronically in its entirety on September 21 2020 via electronic mail to the following attorneys of record:

- Cortney S. Alexander (cortneyalexander@kentrisley.com)
- Daniel A. Kent (dankent@kentrisley.com)

Respectfully submitted,

Date: September 21, 2020 By: Stephanie L. Schonewald

Stephanie L. Schonewald, Reg. No. 72,452
Anita M. C. Spieth, *Pro Hac Vice* filed
Peter A. Flynn, Reg. No. 68,382
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Attorneys for Petitioner CSG