

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

10X GENOMICS, INC.,
Petitioner,

v.

BIO-RAD LABORATORIES, INC.,
Patent Owner.

Case IPR2020-00086
Patent 9,562,837

**DECLARATION OF AARON M. NATHAN IN SUPPORT OF
PETITIONER'S MOTION FOR *PRO HAC VICE* ADMISSION**

I, AARON M. NATHAN, declare as follows:

1. I am a member in good standing of the State Bar of California and the State Bar of Virginia and the Bar of the District of Columbia as well as the bar of the United States Court of Appeals for the Ninth Circuit and the bar of the United States Court of Appeals for the Federal Circuit. I am also admitted to practice in the following United States District Courts: the Northern and Central Districts of California and the Eastern and Northern Districts of Texas.

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 the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of the Code of Federal Regulations.

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. In the last three years, I have applied to appear *pro hac vice* before the Office in Proceeding Nos. IPR2019-00565, IPR2019-00566, IPR2019-00567, and IPR2019-00568. All four motions were granted. I am concurrently applying to appear in Proceeding Nos. IPR2020-00087, IPR2020-00088, and IPR2020-00089.

8. I am an experienced litigation attorney with over twelve years of experience representing clients in patent cases involving a variety of technologies. I litigate patent cases in U.S. District Courts, the International Trade Commission, and the United States Court of Appeals for the Federal Circuit. Through my experience in patent litigation matters, I have represented clients in all phases of litigation including fact discovery, expert discovery, *Markman* hearings, a trial before an administrative law judge, and appeals before the United States Court of Appeals for the Federal Circuit. In addition, I served as a law clerk at the United States Court of Appeals for the Federal Circuit. I am one of the partners of Tensegrity Law Group LLP, a law firm specializing in patent litigation, trials, and appellate matters. My biography is attached hereto as Exhibit A.

9. I have an established familiarity with the subject matter at issue in this proceeding. I represent 10X Genomics, Inc., the Petitioner in this proceeding, in the U.S. District Court for the District of Delaware, Case No. 18-1679-RGA, which involves the same patent (U.S. Patent No. 9,562,837) and the same references identified in the Petition in this proceeding as the grounds for challenge. I also

represent 10X Genomics, Inc., the Petitioner in this proceeding, in the U.S District Court for the District of Massachusetts, Case No, 19-CV-12533, that involves similar art. Likewise, I was trial counsel for Petitioner in Investigation No. 337-TA-1100 in the International Trade Commission, which addressed art from the same field. I have reviewed and am familiar with U.S. Patent No. 9,562,837 at issue in this proceeding, the Petition and supporting exhibits in this proceeding, the art presented in the Petition, the Patent Owner's Preliminary Response and supporting exhibits, and the legal and factual issues raised in this proceeding. As a result, I have a substantial understanding of the underlying legal and technological issues at stake in this proceeding.

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: May 13, 2020

/Aaron M. Nathan/
Aaron M. Nathan

EXHIBIT A

[Our History \(/ourhistory\)](#)

Partners > (/partners)

[Associates \(/associates\)](#)



Aaron Nathan

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Aaron Nathan has extensive experience litigating complex cases involving patent and contract disputes. In addition to practicing in U.S. district courts and the ITC, he has contributed to successful representations before the United States Court of Appeals for the Federal Circuit. His practice has involved a broad range of technologies, including computer hardware and software, flash memory, network technology, computer security, mobile payment technologies, location technology, wireless communications, pharmaceuticals, and biotechnology. Before joining Tensegrity Law Group in 2012, he was law clerk to the Honorable Richard Linn of the United States Court of Appeals for the Federal Circuit. Prior to his clerkship, he was an associate at Durie Tangri LLP and Weil, Gotshal & Manges LLP.

In 2017, Mr. Nathan was recognized as a “Rising Star” by Super Lawyers.

ADMISSIONS AND QUALIFICATIONS

2007, California

2010, District of Columbia

2018, Virginia

United States District Court for the Northern District of California

United States District Court for the Central District of California

United States District Court for the Eastern District of Texas

United States District Court for the Northern District of Texas

United States Court of Appeals for the Federal Circuit

United States Court of Appeals for the Ninth Circuit

EDUCATION

Stanford Law, J.D. (2007)

UC Berkeley, Ph.D., Rhetoric (2003)

UC Berkeley, M.A., Rhetoric (2000)

University of Michigan, B.A., Classics (1999)

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