

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SAMSUNG ELECTRONICS CO., LTD., and  
SAMSUNG ELECTRONICS AMERICA, INC.,

Petitioners

v.

FOUR BATONS WIRELESS, LLC,

Patent Owner

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Case IPR2025-00495  
Patent 8,239,671

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**DECLARATION OF ERIC J. ENGER IN  
SUPPORT OF PATENT OWNER'S NOTICE OF INTENT TO  
DESIGNATE PROVISIONALLY RECOGNIZED ATTORNEY  
ERIC J. ENGER AS BACK-UP COUNSEL  
UNDER 37 C.F.R. § 42.10(c)**

***Mail Stop "PATENT BOARD"***  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

I, Eric J. Enger, declare under penalty of perjury the following:

1. I am a partner at Heim Payne & Chorush, LLP, 609 Main Street Suite 3200, Houston, TX 77002, which has been retained by Patent Owner Four Batons Wireless, LLC (“Four Batons”) in this *inter partes* review.
2. The most recent prior proceeding I sought to appear and was recognized *pro hac vice* by order of the PTAB pursuant to a motion was *Charter Communications Inc. v. Iarnach Technologies, Ltd.*, IPR2024-01287 (PTAB April 4, 2025). See Paper 16, ORDER Granting Patent Owner’s Motion for *Pro Hac Vice* Admission of Eric J. Enger and William B. Collier, Jr. 37 C.F.R. § 42.10.
3. I am a member in good standing of the State Bar of Texas. I am also duly admitted to practice law before the United States Court of Appeals for the Federal Circuit, United States District Court for Connecticut, United States District Court for the Southern District of Texas, the United States District Court for the Western District of Texas, the United States District Court for the Northern District of Texas, and the United States District Court for the Eastern District of Texas.
4. I have never been suspended or disbarred from practice before any court or administrative body, nor have I ever had an application for admission to practice before any court or administrative body denied. No sanctions or contempt citations have ever 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 37 C.F.R.

6. I understand that I will be subject to the United States Patent and Trademark Office ("USPTO") Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and to disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

7. The proceedings before the Office for which I have applied to appear *pro hac vice* where the Board granted the motion in the last three (3) years are:

- *Charter Communications Inc. v. Iarnach Technologies, Ltd.*, IPR2024-01287, PHV Motion filed August 30, 2024 (Paper 7), granted April 4, 2025 (Paper 16).
- *Charter Communications, Inc. v. Iarnach Technologies Ltd.*, IPR2024-01286, PHV Motion filed August 30, 2024 (Paper 7), granted October 9, 2024 (Paper 9).
- *AT&T Mobility LLC et al., v. Daingean Technologies Ltd.*, IPR2024-00730, PHV Motion filed April 12, 2024 (Paper 5), granted June 5, 2024 (Paper 7).
- *Zyxel Communications Corporation et al., v. Atlas Global Technologies LLC*, IPR2023-00863, PHV Motion filed May 18, 2023 (Paper 7), granted July 5, 2023 (Paper 9).

- *Zyxel Communications Corporation et al., v. Atlas Global Technologies LLC*, IPR2023-00877, PHV Motion filed May 18, 2023 (Paper 7), granted July 5, 2023 (Paper 8).
- *Sercomm Corp. v. Atlas Global Technologies, LLC*, IPR2022-01519, PHV Motion filed December 16, 2022 (Paper 11), granted January 19, 2023 (Paper 17).
- *Sercomm Corp. v. Atlas Global Technologies, LLC*, IPR2022-01520, PHV Motion filed December 16, 2022 (Paper 11), granted January 19, 2023 (Paper 18).

8. I am familiar with the subject matter at issue in this proceeding, including the patent, its prosecution history, the identified references, and the merits papers filed by the Parties.

9. I am a litigation attorney who has served as counsel in several patent infringement cases in multiple district courts over the past twenty years. I also have established a familiarity with the patent at issue in this IPR by carefully studying the patent-in-suit, including its prosecution history and related prior art. Additionally, I have a B.S. degree in electrical engineering, which included course work in computer science, and litigation experience with the subject matter of the '671 Patent.

10. I will serve as backup counsel for Michael F. Heim of the law firm of Heim Payne & Chorush, LLP. Mr. Heim is lead counsel on this case and is registered to practice before the USPTO.

11. I hereby agree to notify the Board immediately of any matter affecting my standing at the bar of any other court.

12. I understand that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001. I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 9, 2025

/Eric J. Enger  
Eric J. Enger  
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