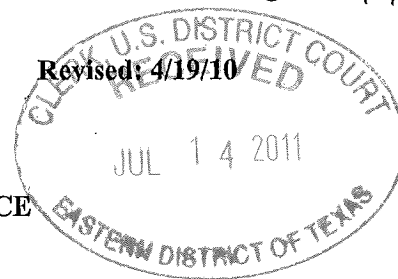


6-4118

Appendix K

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
Tyler DIVISION  
APPLICATION TO APPEAR PRO HAC VICE



- 1. This application is being made for the following: Case # 6:10-cv-00472-LED  
Style: Uniloc USA, Inc., et al. v. National Instruments Corp., et al.
- 2. Applicant is representing the following party/ies: Adobe Systems, Inc. (see attached)
- 3. Applicant was admitted to practice in MA & CA (state) on 05/2003 & 12/1989 (date).
- 4. Applicant is in good standing and is otherwise eligible to practice law before this court. TRUE
- 5. Applicant is not currently suspended or disbarred in any other court. TRUE
- 6. Applicant ~~has~~  has not had an application for admission to practice before another court denied (please circle appropriate language). If so, give complete information on a separate page.
- 7. Applicant ~~has~~  has not ever had the privilege to practice before another court suspended (please circle). If so, give complete information on a separate page.
- 8. Applicant ~~has~~  has not been disciplined by a court or Bar Association or committee thereof that would reflect unfavorably upon applicant's conduct, competency or fitness as a member of the Bar (please circle). If so, give complete information on a separate page.
- 9. Describe in detail on a separate page any charges, arrests or convictions for criminal offense(s) filed against you. Omit minor traffic offenses. NONE
- 10. There are no pending grievances or criminal matters pending against the applicant.
- 11. Applicant has been admitted to practice in the following courts:  
See attached.
- 12. Applicant has read and will comply with the Local Rules of the Eastern District of Texas, including Rule AT-3, the "Standards of Practice to be Observed by Attorneys." YES
- 13. Applicant has included the requisite \$100 fee (see Local Rule AT-1(d)). YES
- 14. Applicant understands that he ~~she~~  is being admitted for the limited purpose of appearing in the case specified above only.

**Application Oath:**

I, Frank E. Scherkenbach do solemnly swear (or affirm) that the above information is true; that I will discharge the duties of attorney and counselor of this court faithfully; that I will demean myself uprightly under the law and the highest ethics of our profession; and that I will support and defend the Constitution of the United States.

Date 07/14/11

Signature Frank E. Scherkenbach

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
APPLICATION TO APPEAR PRO HAC VICE (Continued)**

Name (please print) Frank E. Scherkenbach  
State Bar Number MA State Bar #653819; CA State Bar #142549  
Firm Name: Fish & Richardson P.C.  
Address/P.O. Box: One Marina Park Drive  
City/State/Zip: Boston, MA 02210-1878  
Telephone #: (617) 542-5070  
Fax #: (617) 542-8906  
E-mail Address: scherkenbach@fr.com  
Secondary E-Mail Address: kryan@fr.com

Applicant is authorized to enter an appearance as counsel for the party/parties listed above. This application has been approved for the court on: 7/15/11



David Maland

David J. Maland, Clerk  
U.S. District Court, Eastern District of Texas

By MLL  
Deputy Clerk

2. **Continued from Above:** National Instruments Corp., Safenet, Inc., Onyx Graphics, Inc., Pinnacle Systems, Inc., Aladdin Knowledge Systems, Inc. and Aladdin Knowledge Systems, Ltd.

11. Applicant, Frank E. Scherkenbach, has been admitted to practice in the following courts:

California Supreme Court (admitted 12/11/89)

U.S. Court of Appeals for the Federal Circuit (admitted 04/04/90)

U.S. Supreme Court (admitted 12/11/89)

USDC, N.D. CA (admitted 11/5/91)

USDC, C.D. CA (admitted 12/28/93)

USDC, E.D. CA (admitted 11/22/95)

USDC, S.D. CA (admitted 10/31/08)

USDC, D. MA (admitted 2/25/04)

USDC, E.D. MI (admitted 12/14/05)

USDC, W.D. WI (admitted 02/27/08)

USDC, D. CO (admitted 7/23/03)

USDC, N.D. GA (admitted 6/92)