

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CURRENT LIGHTING SOLUTIONS, LLC
D/B/A GE CURRENT

Petitioner,

v.

JIAXING SUPER LIGHTING ELECTRIC APPLIANCE CO., LTD.

Patent Owner.

Case No. IPR2023-00269

Patent No. 10,560,989

**DECLARATION OF MIGUEL BOMBACH IN SUPPORT OF PATENT
OWNER'S SUR-REPLY TO PETITIONER'S PRELIMINARY REPLY**

I. INTRODUCTION

1. I, Miguel Bombach, am an attorney at the law firm of Perkins Coie, and counsel for Patent Owner Patent Owner Jiaxing Super Lighting Electric Appliance Co., Ltd. in this proceeding. I submit this Declaration in Support of Patent Owner's Sur-Reply to Petitioner's Preliminary Reply. I make this declaration of my own personal knowledge, and, if compelled to testify, I can and would competently testify thereto.

2. I was counsel of record for Patent Owner in *Jiaxing Super Lighting Electric Appliance Co., Ltd. and Obert, Inc. v. CH Lighting Technology Co., Ltd., Elliott Electric Supply Inc., and Shaoxing Ruising Lighting Co., Ltd.* Case No. 6:20-CV-00018-ADA (W.D. Tex.) (the "*Ruising* Litigation").

3. Exhibit 2011 is a true and correct copy of an email thread including an email dated May 11, 2021 from Thomas W. Cunningham, counsel for GE Current, serving documents in response to a subpoena Patent Owner served on GE Current during the *Ruising* Litigation.

4. Ex. 2012 is a true and correct copy of the redacted/ public version of a motion to strike Patent Owner's final infringement contentions that was filed by the defendants in the *Ruising* Litigation.

5. Ex. 2013 is a true and correct copy of the district court's order denying the defendants' motion to strike referenced in the previous paragraph.

6. Ex. 2015 is a true and correct copy of the public transcript from a discovery hearing that took place on August 25, 2021 which included oral argument regarding a discovery issue relating to GE Current accused products.

7. As I pointed out during the August 25, 2021 hearing, CH/Ruising produced sales data for certain accused GE Current products in the *Ruising* Litigation. See Ex. 2015 at 6:21-22.

8. CH/Ruising also produced technical documents regarding accused GE Current products during the *Ruising* litigation.

9. Ex. 2016 is a true and correct excerpt from the transcript of the first day of the trial in the *Ruising* Litigation, Nov. 1, 2021.

10. During trial in the *Ruising* Litigation, my colleague Evan Day read into the record an interrogatory response from CH/Ruising that provided technical information about accused products including accused GE Current products. See Ex. 2016 at 159:23-161:13.

11. Ex. 2017 is a true and correct copy of Supplemental Exhibit 7.1 that was attached to the supplemental damages report of Patent Owner's damages expert, Lauren R. Kindler, served on October 26, 2021, and referenced by Ms. Kindler at trial. The exhibit is titled "Summary of Sales and Profitability of CH Lighting's / Ruising's Accused Products by Product Model Number." The unit totals, dollar amounts, and other notes discussing the same have been redacted in

Ex. 2017 because they reflect or relate to third-party financial information that is not relevant to the present dispute in this case.

12. Ex. 2017 includes note (k) in which Ms. Kindler explains that, based on a document produced by CH/Ruising, she accounted for CH/Ruising's sales of accused GE Current products in her totals for CH/Ruising's CH1152RS series products. *See* Ex. 2017 at 1, 4.

I declare under the penalty of perjury that all statements made in this Declaration are true and correct.

Executed this 5th day of July 2023.

/Miguel Bombach/
Miguel Bombach, Reg. No. 68,636