

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

IPR2023-00271
Patent 10,295,125

DECLARATION OF GINO MARELLA

Current Lighting v. Jiaxing Super Lighting
IPR2023-00271 | Current Lighting EX1033

1 of 4

I, Gino Marella, declare:

1. The facts set out below are based on my personal knowledge of, including my investigations into, the matters addressed below.

2. I am an employee of Current Lighting EmployeeCo, LLC (“EmployeeCo”).

3. EmployeeCo is a sister corporation to Current Lighting Solutions, LLC (“Current Lighting”) and employs Current Lighting’s United States personnel.

4. My current title is Vice President of Lamps for Current Lighting and I reside in Beachwood, Ohio.

5. It is the standard practice at Current Lighting to issue purchase orders to suppliers, such as Shaoxing Ruising Lighting Co., Ltd. (“Ruising”), when procuring LED tube lamps. These purchase orders are made at the time of issuance and kept in the regular course of business by individuals at Current Lighting. EX1028 is a true and correct copy of an example purchase order issued to Ruising.

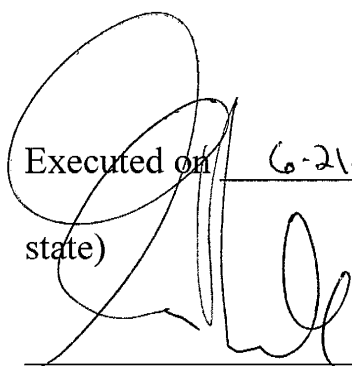
6. The purchase order used by Current Lighting refers a supplier to Conditions of Purchase <https://www.gecurrent.com/supplier>. EX1028 at 1. EX1029 is a true and correct copy of the current version of the Conditions of Purchase, available at <https://www.gecurrent.com/sites/default/files/documents/Current-Conditions-of-Purchase.pdf>.

7. Current Lighting procures LED tube lamps from multiple suppliers.

Records regarding the quantities of LED tube lamps procured from the different suppliers are made at the time of procurement and kept in the regular course of business by individuals at Current Lighting. EX1023 is a true and correct copy of a summary spreadsheet detailing LED tube lamps procured by Current Lighting since 2019 including the associated supplier and quantities procured. EX1023 was generated based on the business records of purchase orders issued by Current Lighting. As shown in EX1023, for the LED lamp tubes that Super Lighting has accused of infringing U.S. Patent No. 10,295,125 (“the ’125 patent”), Ruising has provided approximately [REDACTED] that Current Lighting has procured since 2019.

8. Current Lighting made the decision to file an *inter partes* review petition challenging the ’125 patent without input or funding from Ruising.

I declare that all statements made herein of my knowledge are true, and that all statements made on information and belief are believed to be true, and 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.

Executed on 6-21-2023 (date) in Beachwood, Ohio (city,
state)


Gino Marella