

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VIKING DRILL & TOOL, INC.

Petitioner

v.

HONGJIA WANG

Patent Owner

IPR2023-00473

IPR2023-00474¹

U.S. Patent No. 11,007,583

**DECLARATION OF DAVID FISHER
SUBMITTED AS SUPPLEMENTAL
EVIDENCE UNDER CFR § 42.64
IN SUPPORT OF ADMISSIBILITY
OF EXHIBIT 2039**

¹ A word-for-word identical declaration is being submitted in support of
IPR2023-00473 and IPR2023-00474.

DECLARATION OF DAVID FISHER

I, David Fisher, declare as follows:

1. I am the President of Astro Pneumatic Tool Co. ("Astro"), Tsteigen, Inc.'s exclusive distributor in the United States. I have been the President of Astro at all times relevant to this declaration and patent office challenge. I have personal knowledge of the facts set forth herein, except as to those stated on information and belief and, as to those, I am informed and believe that they are true. If called as a witness, I could and would competently testify to the matters stated herein.

2. The spreadsheet showing Astro's sales of the Easy-Boost drill bits from June 2018 through March 2023 attached to my prior Declaration as **Exhibit 2039** is a business record of Astro's.

3. Astro's invoices, including for the model numbers shown in **Exhibit 2039**, are entered into a sales database at or near the time of the sale by, or from information transmitted by, an employee of Astro with knowledge of the sale and invoice.

4. Astro keeps these records of its sales in the course of a regularly conducted business activity (selling the Easy-Boost drill bits).

5. It is Astro's regular practice in conducting sales of its products to record its invoices in its sales database.

6. The summary sales spreadsheet produced as **Exhibit 2039** is a report that is automatically generated from the sales data kept in the ordinary course of Astro's business, using Astro's database software.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this day, November 29, 2023, at Los Angeles, California.

A handwritten signature in black ink, appearing to read 'D. Fisher', is written over a horizontal line.

David Fisher