

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE TRIAL AND APPEAL BOARD

FUSION ORTHOPEDICS, LLC,
Petitioner,
v.

EXTREMITY MEDICAL, LLC
Patent Owner.

Case IPR2023-00894
Patent 11,298,166

DECLARATION OF CORBY R. VOWELL

Fusion Orthopedics Ex. 1013

I, Corby R. Vowell, declare as follows:

1. I make this declaration in support of a motion to be admitted *pro hac vice* as backup counsel for the petitioner in *inter partes review* no. IPR2023-00894.

2. I am a member in good standing of the State Bar of Texas.

3. I have never been suspended or disbarred from practice before any court or administrative body.

4. I have never had an application for admission to practice before any court or administrative body denied.

5. I have never been sanctioned or cited for contempt by any court or administrative body.

6. I have read and agree to comply with the Office Patent Trial Practice Guide and the Board's Rule of Practice for Trials set for in part 42 of 37 C.F.R.

7. I submit to be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

8. In the last three years, I have appeared *pro hac vice* in the PTO proceedings listed below:

- *Semiconductor Components Industries, LLC d/b/a/ Onsemi v. Opticurrent, LLC* Case: IPR2021-01460, Patent No. 6,958,623

- *Nortonlifelock INC., v. Kajeet, INC.*, Case: IPR2022-00001, Patent No. 8,667,559
- *Taiwan Semiconductor Manufacturing Company, LTD., v. Fraunhofer Gesellschaft Zur Förderung Der Angewandten Forschung Ev*, Case: IPR2020-01669, Patent No. 6,548,391

9. I have an established familiarity with the subject matter of this review as a result of having been counsel for the defendant in litigation of the patent under review, U.S. Patent No. 11,298,166 (“the ’166 patent”). Specifically, I am counsel for Fusion Orthopedics, LLC, in the following case:

- *Extremity Medical, LLC v. Fusion Orthopedics, LLC*, Case No. 2:22-cv-00723-PHX-GMS (D. Ariz.)

10. My experience in these cases has provided me with a knowledge of the subject matter of the ’166 patent and the patentability issues in this review.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both under Section 1001 of the Title 18 of the United States Code.

IPR2023-00894
Patent No. 11,298,166

Dated: July 13, 2023

Respectfully submitted,

/Corby R. Vowell/
Corby R. Vowell