UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PELOTON INTERACTIVE, INC.,

Petitioner

v.

JOHNSON HEALTH TECH CO., LTD.,

Patent Owner.

PTAB Case No. IPR2023-01163

Patent No. 10,032,227

AFFIDAVIT OF ASHLEE E. SHERMAN IN SUPPORT OF PETITIONER'S MOTION FOR PRO HAC VICE ADMISSION

I, Ashlee E. Sherman, being duly sworn and upon oath, hereby apply to appear *pro hac vice* before the Office in *inter partes* review proceedings under PTAB Case No. IPR2023-01163 on U.S. Patent 10,032,227 and hereby attest to the following:

1. I am a member in good standing of the State Bar of California and the Northern District of California. I have also been admitted *pro hac vice* to the Western District of Wisconsin and the Eastern and Western Districts of Texas.

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

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

4. No sanction or contempt citation has been imposed against me by any court or administrative body.

5. I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in 37 C.F.R. Part 42.

6. I will 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.P.R. § 11.19(a).

7. I have more than 1 year of experience representing clients in patent cases involving computer hardware and software. I have been involved in 5 patent

litigation cases in federal district courts. Through my experience in patent litigation matters, I have represented clients in several phases of litigation including early case management, dispositive motions, and discovery.

8. I have familiarity with the subject matter at issue in this proceeding and represent Petitioner as counsel in a parallel court proceeding against Patent Owner involving the same technology (*Johnson Health Tech Co., LTD., and Johnson Health Tech North America, Inc., v. Peloton Interactive, Inc.*, No. 3:22-cv-606 (W.D. WI.)). In this case, I handle all phases of the litigation from discovery through trial and will continue to be involved in the case as counsel.

9. I am familiar with the technologies and issued claims in the 10,032,227, 10,796,375, and 11,227,340 Patents. I am familiar with the prior art references cited in PTAB Case Nos. IPR2023-01163, IPR2023-01164, and IPR2023-01165 and the associated invalidity grounds before the PTAB.

I hereby declare that all statements made on my own knowledge are true and that all statements made on information and belief are believed to be true. I further declare 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 the Title 18 of the United States Code.

Dated: December 19, 2023

Respectfully submitted,

/ASHLEE E. SHERMAN/

Ashlee E. Sherman, Pro-Hac Vice

Attorneys for PETITIONER

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