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

U.S. Patent No. 10,032,227

DECLARATION OF JOHN C. SCHELLER IN SUPPORT OF MOTION FOR *PRO HAC VICE* ADMISSION UNDER 37 C.F.R. § 42.10

In support of the Motion for *Pro Hac Vice* admission, I, John C. Scheller, declare and state as follows:

1. I am a member in good standing of the Bars of the State of Wisconsin and the State of Illinois and of various federal courts, including the United States District Court for the Western District of Wisconsin, the United States District Court for the Eastern District of Wisconsin, the United States District Court for the Northern District of Illinois, the United States Court of Appeals for the Federal

Circuit, the United States Court of Appeals for the Seventh Circuit, and the United States Supreme Court.

2. I have no suspensions or disbarments from practice before any court or administrative body.

3. I have never had any court or administrative body deny my application to practice before it.

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

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

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.F.R. § 11.19(a).

7. I have applied to appear *pro hac vice* before the Office on two prior occasions in Case Nos. IPR2013-00463 and IPR2014-00184.

8. I have been a litigation attorney practicing patent litigation since 1998 and have been involved in numerous patent infringement lawsuits in District Courts across the country and have experience in jury and bench trials, *Markman* hearings, and Federal Circuit oral arguments.

9. I am familiar with U.S. Patent No. 10,032,227, the prior art cited in the Petition, and the factual and legal arguments made to date in this proceeding, and am lead litigation counsel for Johnson Health Tech Co., Ltd. in the underlying district court litigation against Peloton Interactive, Inc.

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

Executed on January 12, 2024.

/John C. Scheller/
John C. Scheller