

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COLGATE-PALMOLIVE COMPANY,
Petitioner,

v.

NOBLE INNOVATIONS NC L.L.C.,
Patent Owner

IPR2023-01254
U.S. Patent No. 8,881,332

DECLARATION OF AL SPROSTA

1. I, Al Sprosta, make this Declaration. I am over 21 years of age and otherwise competent to make this declaration.

2. I am a Director, Technology at Colgate-Palmolive Company, working in Global Toothbrush Research & Development. I have been employed at Colgate-Palmolive Company since January 1, 2000.

3. I have been asked to provide my recollection of the circumstances of the creation of the Colgate-Palmolive Company Invention Record (the “Invention Record”) referencing an invention titled “Prong bead retention” being submitted as Exhibit 1020 in the above-captioned *inter partes review* proceeding before the Patent Trial and Appeal Board of the United States Patent and Trademark Office. I am not being compensated for making this Declaration.

4. I am listed as an inventor on the Invention Record. Ex. 1020 at 4. On or around January 15, 2007, I met with the other inventors listed on the invention record, Doug Hohlbein and Alan Sorrentino. Ex. 1020 at 4. As described in the invention record, although previous designs that used a retaining socket effectively held the bead, we had found that testing revealed a strong consumer desire for the flavor bead of previous toothbrush designs we had developed to release its flavor as soon as possible after one begins brushing their teeth. To help accomplish this, we conceived of using curved prongs to retain the bead, inspired by how a gemstone may be set in a ring, to raise the position the bead closer to the bristle

tips of the toothbrush to facilitate generation of saliva and quicker release of flavor from the bead.

5. On or around early- to mid-February 2007, Doug Hohlbein authored the Invention Record shown as Ex. 1020 with input from the other listed inventors. The Invention Record was completed on February 26, 2007. On this date, each of the listed inventors signed the Invention Record and a witness, Eduardo Jimenez, also signed and dated the Invention Record. Ex. 1020 at 4-5. The Invention Record was provided to the Colgate Patent Department on or around this date.

6. Between February 26, 2007 and January 24, 2008, we worked with patent counsel to prepare and file a patent application based on the Invention Record. The patent application was filed on January 24, 2008 as U.S. Patent Application No. 12/018,817.

7. 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.

Dated: July 26, 2024



Al Sprosta