

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 KEITH D. HARDEN

1. I, Keith D. Harden, make this Declaration. I am over 21 years of age and otherwise competent to make this declaration.

2. I am an attorney at the law firm of Munck Wilson Mandala, L.L.P., and lead counsel for Petitioner.

3. I provide this Declaration in connection with the above-identified *inter partes* review proceeding before the Patent Trial and Appeal Board of the United States Patent and Trademark Office. Unless otherwise stated, the facts stated in this Declaration are based on my personal knowledge.

4. Petitioner Exhibit 1022 includes true and correct copies of screenshots I personally captured on July 25, 2024 from the Internet Archive (Wayback Machine) (web.archive.org) related to archived webpages from the “ToothPods” website, www.toothpods.com.

5. Page 1 of Exhibit 1022 is a true and correct copy of a screenshot I personally captured on July 25, 2024 of the webpage located at the following URL: https://web.archive.org/web/20090601000000*/www.toothpods.com. I personally accessed this webpage by inputting “www.toothpods.com” into the search field of the main landing page for the Internet Archive (web.archive.org) and selecting the earliest year available on the resulting webpage, which was 2009. The webpage shown on page 1 of Exhibit 1022 is still operable on web.archive.org as of the date of this Declaration.

6. Page 2 of Exhibit 1022 is a true and correct copy of a screenshot I personally captured on July 25, 2024 of the webpage located at the following URL: <https://web.archive.org/web/20090421080442/http://www.toothpods.com>. I personally accessed this webpage by clicking on the link for the earliest date available on “https://web.archive.org/web/20090601000000*/www.toothpods.com” (shown on page 1 of Exhibit 1022), which was April 21, 2009. The webpage shown on page 2 of Exhibit 1022 is still operable on web.archive.org as of the date of this Declaration.

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 29, 2024


Keith D. Harden