

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MILLERKNOLL, INC.,
Petitioner,

v.

AARON DEJULE,
Patent Owner.

Patent No. 10,893,753
Filing Date: May 10, 2019
Issue Date: January 19, 2021

Title: APPARATUS WITH WEIGHT RESPONSIVE
CHANGEABLE ADJUSTING CHARACTERISTICS

Inter Partes Review No.: IPR2023-01427

DECLARATION OF ALEXANDER J. BRUENING

I, Alexander J. Bruening, make the following declaration pursuant to 28 U.S.C. § 1746:

1. I am a member of the Bar of Illinois and an attorney at the law firm of Banner & Witcoff, Ltd., counsel for Petitioner.

2. I provide this Declaration in connection with the above-identified *inter partes* review proceeding requested at the United States Patent and Trademark Office (“USPTO”) by Petitioner, MillerKnoll, Inc., against Patent Owner, Aaron DeJule, under 35 U.S.C. § 311, 37 C.F.R. § 42.104. Unless otherwise stated, the facts stated in this Declaration are based on my personal knowledge.

3. Exhibit 1010 to the Petition is a true and correct copy of German Patent Application No. DE 10 2015 003 156.2 (“DE’156”). DE’156 is included in the file wrapper of U.S. Patent Application No. 15/565,495 as a “Certified Copy of Foreign Priority Application” (*see* Ex. 1009, pp. 94-137), and Ex. 1010 was obtained from the USPTO’s Public Patent Application Information Retrieval database (<https://portal.uspto.gov/pair/PublicPair>). The Application Data Sheet in the file wrapper includes a claim of priority to DE’156. *See* Ex. 1009, pp. 10-11, 139.

4. DE’156 is also available through the PATENTSCOPE database of the World Intellectual Property Organization (*see* <https://patentscope.wipo.int/search/en/search.jsf>) as a “Priority Document” for International Application No.

PCT/EP2016/055450, which published as International Publication No. WO/2016/146582 on September 22, 2016 (*see* Ex. 1009, pp. 17-87).

5. Exhibit 1011 to the Petition is a true and correct copy of a certified English translation of DE'156 provided by Sabine Mepstead of Targem Translations. Ms. Mepstead's sworn certification of the accuracy of the translation is included with Ex. 1011.

6. I further declare that all statements made herein of my own knowledge are true, and further 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.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 20th day of September, 2023, in Chicago, IL

/Alexander J. Bruening/

Alexander J. Bruening
Reg. No. 76,293