

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SRAM, LLC,

Petitioner,

v.

FOX Factory, Inc.,

Patent Owner.

U.S. Patent No. 8,550,223 B2

Filing Date: May 11, 2009

Issue Date: October 8, 2013

Title: METHODS AND APPARATUS FOR POSITION SENSITIVE
SUSPENSION DAMPENING

Case No. IPR2024-00216

**SECOND DECLARATION OF
MICHAEL J. HICKEY IN SUPPORT OF
PETITIONER SRAM, LLC'S REPLY**

DECLARATION OF MICHAEL J. HICKEY

Being of legal age, I, Michael J. Hickey, declare and state as follows:

1. I am over the age of twenty-one (21) and have personal knowledge of the facts stated herein. I am a Member of the law firm of Lewis Rice LLC and lead counsel for SRAM, LLC (“SRAM”) in the instant IPR Proceeding. I have personal knowledge of the facts set forth in this declaration and, if called upon to do so, I would testify competently thereto.
2. This declaration is in support of Petitioner SRAM’s Petitioner’s Reply to Fox Factory, Inc.’s (“Fox”) Patent Owner Response.
3. Exhibit 1017 is a true and accurate copy of U.S. Patent No. 7,374,028 to Fox.
4. Exhibit 1018 is a true and accurate copy of U.S. Patent No. 5,775,677 to Englund.
5. Exhibit 1019 is a true and accurate copy of the Second Declaration of Dr. Eric Wang, Ph.D., dated November 21, 2024.
6. Exhibit 1020 is a true and accurate copy of the Transcript of the Deposition of Alexander Slocum, Ph.D., dated October 25, 2024.
7. Exhibit 1021 is a true and accurate copy of U.S. Patent No. 5,163,697 to Kastan.

8. Exhibit 1022 is a true and accurate copy of excerpts from the Expert Report of Alexander Slocum, Ph.D. Regarding [alleged] Infringement of Fox Factory's U.S. Patent Nos. 9,739,331 and 8,550,223, served on March 28, 2024.

9. Exhibit 1024 is a true and accurate copy of excerpts from Defendant SRAM, LLC's Amended Preliminary Invalidity Contentions in Civil Action No. 1:23-cv-00313-RM-KAS in the United States District Court for the District of Colorado, served on March 1, 2024.

I declare that all statements made herein of my own knowledge are true and that all statements made upon information and belief are believed to be 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.

Date: November 21, 2024



Michael J. Hickey
Lead Counsel for Petitioner SRAM, LLC