
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PROLIME AGRICULTURAL LLC and
CAUDILL SEED AND WAREHOUSE CO., INC.
Petitioners

v.

SUL4R-PLUS, LLC
Patent Owner.

Inter Partes Review No. IPR2024-00236
Patent No. 9,873,638

DECLARATION OF STEVEN SUSSER

Prolime Agriculture, LLC v. Sul4r-Plus, LLC

In support of the Motion for Pro Hac Vice Admission of Steven Susser on behalf of PROLINE AGRICULTURAL LLC and CAUDILL SEED AND WAREHOUSE CO., INC, Steven Susser declares as follows:

1. I am an attorney in good standing and licensed to practice law in the State of Michigan, registration #P52940. I am also licensed to practice in New York State.

2. I do not have any suspensions or disbarments from practice before any court or administrative body and have never been suspended or disbarred for a disciplinary reason. From June 7, 1999 to June 13, 2000 my registration with the New York State Unified Court System lapsed due to unintentional nonpayment of dues. At the time, I was practicing law in the State of Michigan and inadvertently failed to renew my registration in the State of New York. I renewed my registration in the State of New York in 2000 and have maintained it since. Upon Jessica Fleetham's receipt of an email from the Board on February 2, 2024 concerning Petitioner's original Motion for my admission *pro hac vice* in this case, it was brought to my attention that the New York State Unified Court System considers the period in which my registration lapsed as a "suspension."

3. No application for admission to practice before any court has ever been denied.

4. I have never had any sanctions or contempt citations imposed by any court or administrative body.

5. I have read and will comply with the Office 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 am 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 not applied to appear *pro hac vice* in any proceeding before the Office in the last three years.

8. I am an experienced litigation attorney in patent, trademark, and copyright matters. I have an established familiarity with this matter because I represent petitioner Prolime Agricultural, LLC in co-pending litigation concerning the patent at issue in this inter partes review, U.S. Patent No. 9,873,638. The co-pending litigation is styled *Sul4r-Plus, LLC v. Prolime Agriculture LLC*, Case No. 2:22-cv-12798-LJM-EAS in the Eastern District of Michigan. In the course of my involvement with the litigation, I have become familiar with the patent-in-suit, relevant prior art to the patent-in-suit, and the reasons the patent-in-suit is unpatentable in view of the relevant prior art.

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

Dated: February 20, 2024

By: 
Steven Susser