UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PROVISUR TECHNOLOGIES, INC.,
Petitioner,

v.

WEBER FOOD TECHNOLOGY GMBH,
Patent Owner.

Case IPR2024-00269
Patent 11,331,823

DECLARATION OF HENRY C. THOMAS IN SUPPORT OF MOTION FOR ADMISSION *PRO HAC VICE*

I, Henry C. Thomas, declare as follows:

1. I have been practicing law in the field of intellectual property, and particularly, patent litigation, for about seven years. I have litigated in private practice for about seven years.

2. I am a member in good standing of the Bar of the State of Illinois.

3. I have been counsel in about four patent infringement cases and have represented clients in numerous United States District Courts. I am a member of the Intellectual Property Practice Group at Willkie, Farr & Gallagher, LLP.

4. I have never been suspended, disbarred, sanctioned, or cited for contempt by any court or administrative body, nor had any court or administrative body deny my application for admission to practice.

5. I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials, as set forth in Part 42 of 37 C.F.R.

6. I agree to be subject to the United States Patent and Trademark Office 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. In the past three (3) years, I have appeared *pro hac vice* in three proceedings before the United States Patent and Trademark Office: IPR2020-01556; IPR2020-01557; IPR2022-00599. In the past three (3) years, I have not

applied to appear *pro hac vice* in any other proceedings before the United States Patent and Trademark Office.

8. I am familiar with the subject matter at issue in this proceeding, including the patent, its prosecution history, and the identified references. I represent Provisur in the following case, which is related to and involves the same patent at issue in this proceeding: *Provisur Technologies, Inc. v. Weber, Inc. et al.*, No. 5:21-cv-06113 (W.D. Mo.) (filed September 9, 2021).

9. I hereby declare, under penalty of perjury pursuant to 28 U.S.C. § 1746, that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are 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 and that such willful false statements may jeopardize the validity of U.S. Patent No. 10,647,013.

Dated: August 23, 2024

/s/ *Henry C. Thomas*

Henry C. Thomas
Willkie Farr & Gallagher LLP
300 North LaSalle Street,
Chicago, IL 60654
Telephone: (312) 728-9000
Facsimile: (312) 728-9199
Counsel for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on August 23, 2024, I caused a true and correct copy of the foregoing materials:

- **DECLARATION OF HENRY C. THOMAS IN SUPPORT OF MOTION FOR ADMISSION *PRO HAC VICE***

to be served via electronic mail to the Patent Owner's Attorney of Record:

adam.seitz@eriseip.com,
paul.hart@eriseip.com,
adam.sandwell@eriseip.com,
nathan.byers@eriseip.com,
megan.redmond@eriseip.com,
hunter.horton@eriseip.com,
carrie.bader@eriseip.com.

Dated: August 23, 2024

/s/ Michael G. Babbitt
Michael G. Babbitt (Reg. No. 59,288)
Counsel for Petitioner