UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NEURENT MEDICAL INC. & NEURENT MEDICAL LTD.

Petitioners,

v.

AERIN MEDICAL INC.,

Patent Owner.

Case No. IPR2024-00275

U.S. Patent No. 9,072,597

DECLARATION OF JOSHUA L. STERN IN SUPPORT OF MOTION FOR ADMISSION *PRO HAC VICE*

I, Joshua L. Stern, declare as follows:

1. I obtained a B.A. from Harvard University in 2005 and a J.D. from Harvard Law School in 2008. I am a partner at the law firm of Wilmer Cutler Pickering Hale & Dorr LLP in Washington, DC.

2. I have been practicing law for over fifteen years and have been practicing in the field of intellectual property, and particularly, patent litigation, since 2011.

3. I am a member in good standing of the Bars of the District of Columbia, the Commonwealth of Massachusetts, the State of New Jersey, and the State of New York and am admitted to practice before the United States District Courts of the District of Massachusetts, the District of New Jersey, and the Southern District of New York. I am also admitted to practice before the U.S. Court of Appeals for the Federal Circuit.

4. My bar membership number for the District of Columbia is 1017853; for the Commonwealth of Massachusetts is 683006; for the State of New Jersey is 015832008; and for the State of New York is 4705356.

5. I have never been suspended, disbarred, sanctioned or cited for contempt by any court or administrative body.

6. I have never had a court or administrative body deny my application for admission to practice.

7. I have never had any sanctions or contempt citations imposed on me by any court or administrative body.

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

9. 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).

10. In the past three years, I have appeared *pro hac vice* before the United States Patent and Trademark Office in the following proceedings: *BioNTech SE v. ModernaTX, Inc.*, Case No. IPR2023-01358; *BioNTech SE v. ModernaTX, Inc.*, Case No. IPR2023-01359; *Quest Diagnostics Inc. v. Ravgen, Inc.*, Case No. IPR2021-00788; *Quest Diagnostics Inc. v. Ravgen, Inc.*, Case No. IPR2021-00789; *Quest Diagnostics Inc. v. Ravgen, Inc.*, Case No. IPR2021-00790; *Quest Diagnostics Inc. v. Ravgen, Inc.*, Case No. IPR2021-00791; *Pfizer Inc. v. uniQure BioPharma BV*, Case No. IPR2021-00925; *Pfizer Inc. v. uniQure BioPharma BV*, Case No.

IPR2021-00926; and *Pfizer Inc. v. uniQure BioPharma BV*, Case No. IPR 2021-00928.

11. I am familiar with the subject matter at issue in this proceeding. I have reviewed U.S. Patent No. 9,072,597 ("'597 patent"), which is being challenged in this proceeding, as well as its file history, the Petition, the Institution Decision, and the other filings and exhibits in this proceeding. I have also reviewed and am familiar with the relevant prior art.

12. Beginning in 2023 and continuing until the present, I have represented Neurent Medical Inc. and Neurent Medical Ltd. (collectively, "Petitioners") in *Aerin Medical Inc. and The Foundry LLC v. Neurent Medical Inc. and Neurent Medical Ltd.*, Case No. 1:23-cv-00756-JLH (D. Del.), which is a related matter to this proceeding. The validity of the '597 patent is a contested issue in this related matter.

13. I declare 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 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.

Respectfully Submitted,

Dated: August 28, 2024

/Joshua L. Stern/

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