UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Case Nos. IPR2024-00276, -277, -279, -280, -281, -282

DECLARATION OF JUNE ANN MUNFORD

NEURENT 1070

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I, June Ann Munford, declare as follows:

I. INTRODUCTION

1. My name is June Ann Munford. I am over the age of 18 and am competent to testify to the same.

2. I have been retained on behalf of Neurent Medical Inc. and Neurent Medical Ltd. ("Neurent" or "Petitioners") to provide assistance in evaluating the authenticity and public accessibility of documents discussed in this Declaration for proceedings before the United States Patent and Trademark Office. I understand that my Declaration will be submitted in the following *Inter Partes* Review proceedings:

Challenged Patent	Patent Owner	Case No.
9,415,194	Aerin Medical Inc.	IPR2024-00276
11,241,271	Aerin Medical Inc.	IPR2024-00277
10,610,675	The Foundry LLC	IPR2024-00279
10,894,011	The Foundry LLC	IPR2024-00280
11,679,077	The Foundry LLC	IPR2024-00281
11,766,286	Aerin Medical Inc.	IPR2024-00282

3. I am being compensated for my services in this matter at the rate of $200.00 per hour plus reasonable expenses. My compensation does not depend on the

outcome of this matter. My testimony in this Declaration is based on the information cited in this Declaration and my experience in library science for nearly twenty years.

II. QUALIFICATIONS AND EXPERIENCE

4. I earned a Master of Library and Information Science (MLIS) from the University of Wisconsin-Milwaukee in 2009. I have nearly twenty years of experience in the library/information science field. Beginning in 2004, I have served in various positions in the public library sector including Assistant Librarian, Youth Services Librarian and Library Director. I have attached my Curriculum Vitae as **Appendix CV**.

5. During my career in the library profession, I have been responsible for materials acquisition for multiple libraries, including the Dowagiac District Library in Dowagiac, Michigan, the Anchorage Public Library in Anchorage, Alaska, and the Hart Area Public Library in Hart, Michigan. These libraries relied on me and my expertise in the library sciences to catalogue, purchase and process incoming library works correctly and efficiently. These responsibilities included purchasing materials directly from vendors, recording publishing data from the material in question, creating detailed

material records for library catalogs and physically preparing that material for circulation.

6. In addition to my experience in acquisitions, during my time as a Library Director for the Dowagiac District Library, I was also responsible for analyzing large collections of library materials, tailoring library records for optimal catalog search performance and creating lending agreements between libraries. As a part of my analysis of large collections, I audited library collections, including Machine Readable Cataloging (herein referred to as "MARC") records, gathered usage statistics for various works, and evaluated MARC record fields to ensure completeness and accuracy. Similarly, in my work as a researcher, I have examined thousands of MARC records authored by others. I am therefore familiar with and experienced in interpreting these records to make determinations based on the data contained within these records.

7. In my work as a librarian, I also have experience assessing foreign-language materials and materials held by library institutions in Europe and Asia for the purposes of fulfilling interlibrary loan requests made by patrons. In my work as a researcher, I have authenticated publications held by libraries in Germany, Sweden and Japan. In my experience, an official notice from library

or educational institution is among the most accurate ways of describing a material's accessibility to the public. These notices often take the form of a certificate, affidavit or formalized letter from the library staff.

III. BACKGROUND INFORMATION

8. I have extensive experience with the catalog record creation process in the library sector. In preparing a material for public accessibility, a library catalog record describing that material would be created. These records are typically written in MARC code and contain information such as a physical description of the material, metadata from the material's publisher, and date of library acquisition. MARC records are vital to the function of a library's services, as they facilitate the library staffs' and patrons' ability to search, explore, and secure materials within that library's collection. Libraries or similar institutions that rely upon MARC records dedicate significant resources to ensure that the records are accurate and sufficiently descriptive. Librarians and patrons alike therefore routinely rely on their accuracy and completeness.

9. Typically, in creating a MARC record, a librarian gathers various pieces of metadata, such as the publication's title, publisher and subject headings, among others, and assigns each datum to a relevant numerical field. For example, a book's physical description is tracked in field 300 while

title/attribution is tracked in field 245. The 008 field of the MARC record is reserved for denoting the creation of the library record itself. The 008 field accurately indicates the date of an item's public accessibility, as it is the only date reflecting the inclusion of said materials within the library's collection.

10. During the relevant time period, which I understand to be 2005-2021, MARC records and other digital library cataloging systems were typically indexed to facilitate searches. This indexing is necessary for both providing patron services and maintaining library records. Indexing is generally done using cataloging software, which creates searchable fields for data like the title and author of a work. Using searchable fields allows a librarian, for example, to ensure that the library does not duplicate works, which is an essential function for libraries.

11. Cataloging practices for librarians depend on the format of the material being catalogued. For instance, a one-time publication such as a textbook is cataloged as a "monograph," and only that specific edition of the book is described in the MARC record. Time-sensitive materials such as magazines, academic journals and newspapers are cataloged as periodicals, with the MARC record describing the publication as a whole, rather than each individual issue. New issues of these periodicals do not receive their own

MARC records, and are instead added to the inventory of the publication's existing MARC record. This ensures timely access to new issues as soon as possible after publication by minimizing the effort required to catalogue the material. For periodicals, the 008 field of the MARC record indicates date of first record creation at that particular library for the periodical. All subsequent issues are added to that same record, and are often indicated in an individual holdings field that lists all issues held by the library. For example, a MARC record for an academic journal listing January 2000 in the 008 field indicates that the library first began housing the journal in January 2000. A separate item record for the same record might indicate that the library holds issues of the periodical, for example from the January 2000 issue through to the January 2022 issue. This would indicate that the library began subscribing to the periodical beginning with the January 2000 issue, and that the library continued to receive and hold subsequent issues until January 2022. Even if the subscription ceased, the presence of the record would indicate continuous accessibility to the public for all held issues indicated in the item record. This can be confirmed by, for example, obtaining the copy of the periodical associated with one of the holdings in the record.

12. I am also familiar with various digital and online practices relating to publications of periodicals, such as academic journals. For example, many

academic journals have posted issues or individual articles online for public access as early as the late 1990s.

13. Services like PubMed—an online database maintained by the United States National Library of Medicine (NLM) at the National Institutes of Health (NIH)—also maintain online records of certain academic journals. *See* https://pubmed.ncbi.nlm.nih.gov/about/. That database, which has been accessible to the public since 1996, includes searchable abstracts and bibliographic information for biomedical literature. *Id.* PubMed also provides links to the articles, when accessible. *Id.*

14. The Internet Archive "Wayback Machine" is a website that has been maintaining an archival record of the internet since the mid-1990s, catalogued by URL and date. *See* https://archive.org/about/. The Internet Archive's public facing website—which is searchable by URL—has been accessible to the public since the year 2000. My colleagues in the profession regard the Internet Archive and the associated metadata as reliable records of online resources, including records of when websites were publicly accessible.

IV. SUMMARY OF OPINIONS

15. Based on my review of the documents cited in this Declaration and those included in Exhibits 1071-1079 and 1031, it is my opinion that the following

journal articles are authentic and were publicly accessible on the dates identified below:

Journal Article	Date Publicly Accessible	Addressed In
"Radiofrequency Treatment of Nasal Posterior-Under Nerve, Ethmoidal Nerve and Infraturbinal for Perennial Allergic Rhinitis Under Nasal Endoscope" by Chen Shi-Qiang, Si Yong-Feng, Lu Qiu-Tian, Liang Jian-Ping, He Ning, Chen Hui and Yuan Hong as published in *China Journal of Endoscopy* (Ex.1071)	March 2005	Section V
"Radiofrequency Treatment of Ethmoidal Nerve with Allergic Rhinitis Under Nasal Endoscopy" by Liang Jianping, Yin Manli, Li Dongyun, Chen Shiqiang, Hou Ping, Chen Hui and Yuan Hong as published in *Journal of Clinical Otorhinolaryngology*, August 1999 (Ex.1072)	August 1999	Section VI
"Nasal Endoscopy Combined with Multiple Radiofrequency for Perennial Allergic Rhinitis" by Fang Chao-Xin and Zhen Shao-Shao as published in *Journal of First Military Medical University* (also known as *Acta of the First Medical College of PLA*), July 2005 (Ex.1073)	July 20, 2005	Section VII
"Clinical Observation on Radiofrequency Ablation Treatment in Perennial Allergic Rhinitis" by Kong Yonggang, Sheng Jianfei, Tao Zezhang and Wu Yuzhen as published in *Journal of Clinical Otorhinolaryngology*, March 2005 (Ex.1074)	March 2005	Section VIII

16. In addition to my experience in the field of library sciences, my opinions are supported by the appendices to my Declaration, which are included in the following exhibits:

Exhibit	Appendices	Associated Journal Article
Ex.1075	CHEN01-CHEN05	"Radiofrequency Treatment of Nasal Posterior-Under Nerve, Ethmoidal Nerve and Infraturbinal for Perennial Allergic Rhinitis Under Nasal Endoscope" by Chen Shi-Qiang, Si Yong-Feng, Lu Qiu-Tian, Liang Jian-Ping, He Ning, Chen Hui and Yuan Hong as published in *China Journal of Endoscopy*
Ex.1076	LIANG01-LIANG03	"Radiofrequency Treatment of Ethmoidal Nerve with Allergic Rhinitis Under Nasal Endoscopy" by Liang Jianping, Yin Manli, Li Dongyun, Chen Shiqiang, Hou Ping, Chen Hui and Yuan Hong as published in *Journal of Clinical Otorhinolaryngology*, August 1999
Ex.1077	FANG01-FANG08	"Nasal Endoscopy Combined with Multiple Radiofrequency for Perennial Allergic Rhinitis" by Fang Chao-Xin and Zhen Shao-Shao as published in *Journal of First Military Medical University* (also known as *Acta of the First Medical College of PLA*), July 2005
Ex.1078	KONG01-KONG03	"Clinical Observation on Radiofrequency Ablation Treatment in Perennial Allergic Rhinitis" by Kong Yonggang, Sheng Jianfei, Tao Zezhang and Wu Yuzhen as published in *Journal of Clinical Otorhinolaryngology*, March 2005
Ex.1079	SHANGHAI01	"Radiofrequency Treatment of Nasal Posterior-Under Nerve, Ethmoidal Nerve and Infraturbinal for Perennial Allergic Rhinitis Under Nasal Endoscope" by Chen Shi-Qiang, Si Yong-Feng, Lu Qiu-Tian, Liang Jian-Ping, He Ning, Chen Hui and Yuan Hong as published in *China Journal of Endoscopy* and

		"Nasal Endoscopy Combined with Multiple Radiofrequency for Perennial Allergic Rhinitis" by Fang Chao-Xin and Zhen Shao-Shao as published in *Journal of First Military Medical University* (also known as *Acta of the First Medical College of PLA*), July 2005

V. CHEN

17. I have reviewed Exhibit 1071, which is a declaration certifying the English language translation of "Radiofrequency Treatment of Nasal Posterior-Under Nerve, Ethmoidal Nerve and Infraturbinal for Perennial Allergic Rhinitis Under Nasal Endoscope" by Chen Shi-Qiang, Si Yong-Feng, Lu Qiu-Tian, Liang Jian-Ping, He Ning, Chen Hui and Yuan Hong as published in *China Journal of Endoscopy*, March 2005 ("Chen"), originally published in Chinese, which appears on pages 4-7 of that exhibit. It is my opinion that Chen was publicly accessible to persons of skill in the art at least as of March 2005.

A. Public Accessibility of Chen at the Shanghai Library as of March 2005

18. Attached hereto as Appendix CHEN01 is a true and correct copy of the library catalog record for *China Journal of Endoscopy* held by the Shanghai Library. I secured this record myself from the library's public catalog. The record contained within Appendix CHEN01 accurately describes the title, author, publisher, and ISSN number of *China Journal of Endoscopy.* The 'Main

Class' field of this record visible on page 2 indicates that this collection includes the March 2005 edition of *China Journal of Endoscopy* containing "Radiofrequency Treatment of Nasal Posterior-Under Nerve, Ethmoidal Nerve and Infraturbinal for Perennial Allergic Rhinitis Under Nasal Endoscope". This same 'Main Class field indicates the Shanghai library first acquired this journal with the 1998 edition and still holds the journal in perpetuity (i.e., has continuously received each issue and made such issues publicly accessible).

19. Attached hereto as Appendix CHEN02[1] is a true and correct copy of scans of "Radiofrequency Treatment of Nasal Posterior-Under Nerve, Ethmoidal Nerve and Infraturbinal for Perennial Allergic Rhinitis Under Nasal Endoscope" as published in *China Journal of Endoscopy* March 2005. These scans were provided to me by the Shanghai Library upon request from the library's collection. In comparing pages 4-7 of Exhibit 1071 to Appendix CHEN02, it is my determination that pages 4-7 of Exhibit 1071 include a true and correct copy of "Radiofrequency Treatment of Nasal Posterior-Under Nerve, Ethmoidal Nerve and Infraturbinal for Perennial Allergic Rhinitis Under Nasal Endoscope" by Chen Shi-Qiang, Si Yong-Feng, Lu Qiu-Tian,

[1] I received Appendix CHEN02 as an attachment to Appendix SHANGHAI01.

Liang Jian-Ping, He Ning, Chen Hui and Yuan Hong as published in *China Journal of Endoscopy* March 2005 that matches the copy held by the Shanghai Library. For example, both list the same English title, authors, abstract, and keywords, and picking other reference characters on the pages, I cannot identify any substantive differences.[2]

20. Attached hereto as Appendix SHANGHAI01 is a translator's declaration including a certificate provided to me by the Shanghai Library as of December 23, 2023, and an English translation thereof. Page 24 of Appendix SHANGHAI01 indicates *China Journal of Endoscopy* with a publication date of March 2005 and therefore "Radiofrequency Treatment of Nasal Posterior-Under Nerve, Ethmoidal Nerve and Infraturbinal for Perennial Allergic Rhinitis Under Nasal Endoscope" was first published in March 2005. SHANGHAI01 includes an official seal of the Shanghai Library. As explained above, I am familiar with these types of library certifications, and those in the field of library sciences consider them to be a reliable sources of information regarding the publication date of a document within the library's collection.

[2] I note that there are some minor differences in the two translations of the article found in Ex.1071 and Ex.1079. These slight differences do not impact my determination that the two exhibits include the same article. Rather, these differences appear to reflect slight variations in word choice, which is common for translations of original works.

21. Appendices CHEN01, CHEN02 and SHANGHAI01 indicate the Shanghai Library secured, entered into their records (and therefore indexed), and made "Radiofrequency Treatment of Nasal Posterior-Under Nerve, Ethmoidal Nerve and Infraturbinal for Perennial Allergic Rhinitis Under Nasal Endoscope" accessible to the public as of March 2005. As I explained above, the Shanghai Library first acquired this journal with the 1998 edition and still holds the journal in perpetuity (i.e., has continuously received each issue and made such issues publicly accessible), and has certified that the document was published as of March 2005. Thus, the journal would have been accessible to members of the public, both for issues prior to March 2005 and for the March 2005 issue on the date of certified publication at least as of March 2005, as certified by the Shanghai Library.

B. Public Accessibility of Chen at the National Library of Medicine as of March 2005

22. Attached hereto as Appendix CHEN03 is a true and correct copy of the MARC record for *China Journal of Endoscopy* held by the National Library of Medicine. I secured this record myself from the library's public catalog. The MARC record contained within Appendix CHEN03 accurately describes the title, author, publisher, and ISSN number of *China Journal of Endoscopy.* The 'Location Items' field of this record visible on page 2 indicates this

collection includes the March 2005 edition of *China Journal of Endoscopy* containing "Radiofrequency Treatment of Nasal Posterior-Under Nerve, Ethmoidal Nerve and Infraturbinal for Perennial Allergic Rhinitis Under Nasal Endoscope."

23. Attached hereto as Appendix CHEN04 is a true and correct copy of scans of "Radiofrequency Treatment of Nasal Posterior-Under Nerve, Ethmoidal Nerve and Infraturbinal for Perennial Allergic Rhinitis Under Nasal Endoscope" as published in *China Journal of Endoscopy* held by the National Library of Medicine. These scans were secured from the library's collection. In comparing pages 4-7 of Exhibit 1071 to Appendix CHEN04, it is my determination that pages 4-7 of Exhibit 1071 include a true and correct copy of "Radiofrequency Treatment of Nasal Posterior-Under Nerve, Ethmoidal Nerve and Infraturbinal for Perennial Allergic Rhinitis Under Nasal Endoscope" by Chen Shi-Qiang, Si Yong-Feng, Lu Qiu-Tian, Liang Jian-Ping, He Ning, Chen Hui and Yuan Hong as published in *China Journal of Endoscopy* March 2005 that matches the copy held by the National Library of Medicine. For example, both list the same English title, authors, abstract, and keywords, and picking other reference characters on the pages, I cannot identify any substantive differences.

24. The 008 field of the MARC record in Appendix CHEN03 indicates the date of record creation. The 008 field of Appendix CHEN03 indicates the National Library of Medicine first acquired this journal as of October 16, 1998, and received the latest issues of the journal until October 2022. The record indicates that such issues were and continue to be accessible today. Considering this information, it is my determination that *China Journal of Endoscopy* March 2005 and therefore "Radiofrequency Treatment of Nasal Posterior-Under Nerve, Ethmoidal Nerve and Infraturbinal for Perennial Allergic Rhinitis Under Nasal Endoscope" was made accessible to the public shortly after its initial acquisition when published as of March 2005.

25. Appendices CHEN03 and CHEN04 indicate the National Library of Medicine secured, entered into their records (and therefore indexed), and made "Radiofrequency Treatment of Nasal Posterior-Under Nerve, Ethmoidal Nerve and Infraturbinal for Perennial Allergic Rhinitis Under Nasal Endoscope" accessible to the public as of March 2005. As I explained above, the National Library of Medicine first acquired this journal series as of October 16, 1998, and a copy of the relevant issue is still accessible there today as evidenced by CHEN04. Thus, the journal would have been accessible to members of the public, both for issues prior to March 2005 and for the March 2005 issue at least as of March 2005, the date of acquisition.

C. Public Accessibility of Chen at the University of Michigan Library as of January 17, 2006

26. Attached hereto as Appendix CHEN05 is a true and correct copy of the MARC record for *China Journal of Endoscopy* held by the University of Michigan. I secured this record myself from the library's public catalog. The MARC record contained within Appendix CHEN05 accurately describes the title, author, publisher, and ISSN number of *China Journal of Endoscopy.* The 'Accessible Online' field of this record visible on page 2 indicates this collection includes the March 2005 edition of *China Journal of Endoscopy* containing "Radiofrequency Treatment of Nasal Posterior-Under Nerve, Ethmoidal Nerve and Infraturbinal for Perennial Allergic Rhinitis Under Nasal Endoscope".

27. The 008 field of the MARC record in Appendix CHEN05 indicates the date of record creation. The 008 field of Appendix CHEN05 indicates the University of Michigan library first acquired this journal as of January 17, 2006, and still holds the journal in perpetuity (i.e., has continuously received each issue and makes such issues publicly accessible). Considering this information, it is my determination that *China Journal of Endoscopy* March 2005 and therefore "Radiofrequency Treatment of Nasal Posterior-Under Nerve, Ethmoidal Nerve and Infraturbinal for Perennial Allergic Rhinitis

Under Nasal Endoscope" was made accessible to the public shortly after its initial acquisition when published as of January 17, 2006.

28. Appendix CHEN05 indicates the University of Michigan library secured, entered into their records (and therefore indexed), and made "Radiofrequency Treatment of Nasal Posterior-Under Nerve, Ethmoidal Nerve and Infraturbinal for Perennial Allergic Rhinitis Under Nasal Endoscope" accessible to public as of January 17, 2006. As I explained above, the University of Michigan library first acquired this journal series as of January 17, 2006, and still holds the journal in perpetuity (i.e., has continuously received each issue and made such issues publicly accessible). Thus, the journal would have been accessible to members of the public, both for issues prior to March 2005 and for the March 2005 issue at least as of January 17, 2006, the date of acquisition.

* * *

29. Considering this information, it is my determination that "Radiofrequency Treatment of Nasal Posterior-Under Nerve, Ethmoidal Nerve and Infraturbinal for Perennial Allergic Rhinitis Under Nasal Endoscope" was first accessible to the public as of March 2005 and continued to be accessible to the public afterwards by virtue of being accessible at the Shanghai Library and the National Library of Medicine. It is also my determination that

"Radiofrequency Treatment of Nasal Posterior-Under Nerve, Ethmoidal Nerve and Infraturbinal for Perennial Allergic Rhinitis Under Nasal Endoscope" was first accessible to the public as of January 17, 2006, and continued to be accessible to the public afterwards by virtue of being accessible at the University of Michigan library. The later accessibility at the University of Michigan Library confirms that the document continued to be accessible to the public.

VI. LIANG

30. I have reviewed Exhibit 1072, which is a declaration certifying the English language translation of "Radiofrequency Treatment of Ethmoidal Nerve with Allergic Rhinitis Under Nasal Endoscopy" by Liang Jianping, Yin Manli, Li Dongyun, Chen Shiqiang, Hou Ping, Chen Hui and Yuan Hong as published in *Journal of Clinical Otorhinolaryngology*, August 1999, originally published in Chinese, which appears on pages 4-7 of that exhibit. It is my opinion that Liang was publicly accessible to persons of skill in the art at least as of August 1999.

A. Public Accessibility of Liang at the National Library of Medicine as of August 1999

31. Attached hereto as Appendix LIANG01 is a true and correct copy of the MARC record for *Journal of Clinical Otorhinolaryngology* held by the National Library of Medicine. I secured this record myself from the library's public catalog. The MARC record contained within Appendix LIANG01 accurately describes the title, author, publisher, and ISSN number of *Journal of Clinical Otorhinolaryngology.* The 'Location Items' field of this record visible on page 2 indicates this collection includes the August 1999 edition of *Journal of Clinical Otorhinolaryngology* containing "Radiofrequency Treatment of Ethmoidal Nerve with Allergic Rhinitis Under Nasal Endoscopy".

32. Attached hereto as Appendix LIANG02 is a true and correct copy of "Radiofrequency Treatment of Ethmoidal Nerve with Allergic Rhinitis Under Nasal Endoscopy" as published in *Journal of Clinical Otorhinolaryngology* held by the National Library of Medicine. These scans were secured from the library's collection. In comparing pages 4-7 of Exhibit 1072 to Appendix LIANG02, it is my determination that pages 4-7 of Exhibit 1072 include a true and correct copy of "Radiofrequency Treatment of Ethmoidal Nerve with Allergic Rhinitis Under Nasal Endoscopy" by Liang Jianping, Yin Manli, Li

Dongyun, Chen Shiqiang, Hou Ping, Chen Hui and Yuan Hong as published in *Journal of Clinical Otorhinolaryngology* August 1999 that matches the copy held by the National Library of Medicine. For example, both list the same English title, authors, abstract, and keywords, and picking other reference characters on the pages, I cannot identify any substantive differences.

33. The 008 field of the MARC record in Appendix LIANG01 indicates the date of record creation. The 008 field of Appendix LIANG01 indicates the National Library of Medicine first acquired this journal as of August 2, 1995, and received the latest issues of the journal until 2006 (i.e., has continuously received each issue and made such issues publicly accessible). The record indicates that such issues were and continue to be accessible today. Considering this information, it is my determination that *Journal of Clinical Otorhinolaryngology* August 1999 and therefore "Radiofrequency Treatment of Ethmoidal Nerve with Allergic Rhinitis Under Nasal Endoscopy" was made accessible to the public shortly after its initial acquisition when published as of August 1999.

34. Appendix LIANG01 and LIANG02 indicate the National Library of Medicine secured, entered into their records (and therefore indexed), and made

"Radiofrequency Treatment of Ethmoidal Nerve with Allergic Rhinitis Under Nasal Endoscopy" accessible to the public as of August 1999. As I explained above, the National Library of Medicine first acquired this journal series as of August 2, 1995, and a copy of the relevant issue is still accessible there today as evidenced by LIANG02. Thus, the journal would have been accessible to members of the public, both for issues prior to August 1999 and for the August 1999 issue at least as of August 1999, the date of acquisition.

B. Public Accessibility of Liang at the University of Iowa as of August 1999

35. Attached hereto as Appendix LIANG03 is a true and correct copy of the MARC record for *Journal of Clinical Otorhinolaryngology* held by the University of Iowa. I secured this record myself from the library's public catalog. The MARC record contained within Appendix LIANG03 accurately describes the title, author, publisher, and ISSN number of *Journal of Clinical Otorhinolaryngology.* The 'Request Options' field of this record visible on page 2 indicates this collection includes the August 1999 edition of *Journal of Clinical Otorhinolaryngology* containing "Radiofrequency Treatment of Ethmoidal Nerve with Allergic Rhinitis Under Nasal Endoscopy".

36. The 008 field of the MARC record in Appendix LIANG03 indicates the date of record creation. The 008 field of Appendix LIANG03 indicates the

University of Iowa first acquired this journal as of October 21, 1995, and received the latest issues of the journal until 2006. The record indicates that such issues were and continue to be accessible today. Considering this information, it is my determination that *Journal of Clinical Otorhinolaryngology* August 1999 and therefore "Radiofrequency Treatment of Ethmoidal Nerve with Allergic Rhinitis Under Nasal Endoscopy" was made accessible to the public shortly after its initial acquisition when published as of August 1999.

37. Appendix LIANG03 indicates the University of Iowa secured, entered into their records (and therefore indexed), and made "Radiofrequency Treatment of Ethmoidal Nerve with Allergic Rhinitis Under Nasal Endoscopy" accessible to the public as of August 1999. As I explained above, the University of Iowa library first acquired this journal series as of August 1999, and a copy of the relevant issue is still accessible there today (for example, the item record on LIANG03 indicates the presence of a 1999 volume, which would include the issue in which Liang was published). Thus, the journal would have been accessible to members of the public, both for issues prior to August 1999 and for the August 1999 issue at least as of August 1999, the date of acquisition.

* * *

38. Considering this information, it is my determination that that "Radiofrequency Treatment of Ethmoidal Nerve with Allergic Rhinitis Under Nasal Endoscopy" was first made accessible to the public as of August 1999 by virtue of being accessible at the National Library of Medicine and the University of Iowa library. The presence of a copy at the National Library of Medicine in 2023 confirms that the document continued to be accessible to the public.

VII. FANG

39. I have reviewed Exhibit 1073, which is a declaration certifying the English language translation of "Nasal Endoscopy Combined with Multiple Radiofrequency for Perennial Allergic Rhinitis" by Fang Chao-Xin and Zhen Shao-Shao as published in *Journal of First Military Medical University* (also known as *Acta of the First Medical College of PLA*), July 2005, originally published in Chinese, which appears on pages 12-13 of that exhibit. It is my opinion that Fang was publicly accessible to persons of skill in the art at least as of July 20, 2005.

A. Public Accessibility of Fang at the Shanghai Library as of July 20, 2005

40. Attached hereto as Appendix FANG01 is a true and correct copy of the library catalog record for *Journal of First Military Medical University* held by the Shanghai Library. I secured this record myself from the library's public catalog. The record contained within Appendix FANG01 accurately describes the title, author, publisher, and ISSN number of *Journal of First Military Medical University.* The 'Main Class' field of this record visible on page 1 indicates this collection includes the July 2005 edition of *Journal of First Military Medical University* containing "Nasal Endoscopy Combined with Multiple Radiofrequency for Perennial Allergic Rhinitis". This same 'Main Class' field indicates the Shanghai library first acquired this journal with the 1981 edition and received the latest issues of the journal until 2005. The record indicates that such issues were and continue to be accessible today.

41. Attached hereto as Appendix FANG02[3] is a true and correct copy of scans of "Nasal Endoscopy Combined with Multiple Radiofrequency for Perennial Allergic Rhinitis" as published in *Journal of First Military Medical University*, July 2005. These scans were provided to me by the Shanghai Library upon request from the library's collection. In comparing pages 12-13

[3] I received Appendix FANG02 as an attachment to Appendix SHANGHAI01.

of Exhibit 1073 to Appendix FANG02, it is my determination that pages 12-13 of Exhibit 1073 include a true and correct copy of "Nasal Endoscopy Combined with Multiple Radiofrequency for Perennial Allergic Rhinitis" by Fang Chao-Xin and Zhen Shao-Shao as published in *Journal of First Military Medical University*, July 2005 that matches the copy held by the Shanghai Library. For example, both list the same English title, authors, abstract, and keywords, and picking other reference characters on the pages, I cannot identify any substantive differences.[4]

42. As I explained above, attached hereto as Appendix SHANGHAI01 is a certificate provided to me by the Shanghai library as of December 23, 2023.

43. Page 24 of Appendix SHANGHAI01, an English language translation of the certificate provided to me by the Shanghai Library, indicates *Journal of First Military Medical University* with a publication date of July 20, 2005, and therefore "Nasal Endoscopy Combined with Multiple Radiofrequency for Perennial Allergic Rhinitis" was first published as of July 20, 2005. As I mentioned above, I am familiar with these types of library certifications, and

[4] I note that there are some minor differences in the two translations of the article found in Ex.1073 and Ex.1079. These slight differences do not impact my determination that the two exhibits include the same article. Rather, these differences appear to reflect slight variations in word choice, which is common for translations of original works.

those in the field of library sciences consider them to be a reliable sources of information regarding the publication date of a document within the library's collection.

44. Appendices FANG01, FANG02 and SHANGHAI01 indicate the Shanghai Library secured, entered into their records (and therefore indexed), and made "Nasal Endoscopy Combined with Multiple Radiofrequency for Perennial Allergic Rhinitis" accessible to the public as of July 20, 2005. As I explained above, the Shanghai Library first acquired this journal with the 1981 edition and still holds the journal in perpetuity (i.e., has continuously received each issue and made such issues publicly accessible), and has certified that the document was published as of July 20, 2005. This is also consistent with the translation of Fang and Fang itself in Ex.1073. For example, pages 11 and 26 indicate that the publication date is July 20, 2005. Thus, the journal would have been accessible to members of the public, both for issues prior to July 20, 2005, and for the July 20, 2005, issue on the date of certified publication at least as of July 20, 2005, as certified by the Shanghai Library.

B. Public Accessibility of Fang at the National Library of Medicine July 2005

45. Attached hereto as Appendix FANG03 is a true and correct copy of the MARC record for *Journal of First Military Medical University* held by the

National Library of Medicine. I secured this record myself from the library's public catalog. The MARC record contained within Appendix FANG03 accurately describes the title, author, publisher, and ISSN number of *Journal of First Military Medical University.* The 'Location Items' field of this record visible on page 2 indicates this collection includes the March 2005 edition of *Journal of First Military Medical University* containing "Nasal Endoscopy Combined with Multiple Radiofrequency for Perennial Allergic Rhinitis".

46. Attached hereto as Appendix FANG04 is a true and correct copy of scans of "Nasal Endoscopy Combined with Multiple Radiofrequency for Perennial Allergic Rhinitis" as published in *Journal of First Military Medical University* held by the National Library of Medicine. These scans were secured from the library's collection. In comparing pages 12-13 of Exhibit 1073 to Appendix FANG04, it is my determination that pages 12-13 of Exhibit 1073 include a true and correct copy of "Nasal Endoscopy Combined with Multiple Radiofrequency for Perennial Allergic Rhinitis" by Fang Chao-Xin and Zhen Shao-Shao as published in *Journal of First Military Medical University*, July 20, 2005.

47. The 008 field of the MARC record in Appendix FANG03 indicates the date of record creation. The 008 field of Appendix FANG03 indicates the National

Library of Medicine first acquired this journal as of October 16, 1998, and received the latest issues of the journal until October 2022. The record indicates that such issues were and continue to be accessible today. Considering this information, it is my determination that *China Journal of Endoscopy* July 20, 2005, and therefore "Nasal Endoscopy Combined with Multiple Radiofrequency for Perennial Allergic Rhinitis" was made accessible to the public shortly after its initial acquisition when published as of July 20, 2005.

48. Appendices FANG03 and FANG04 indicate the National Library of Medicine secured, entered into their records (and therefore indexed), and made "Nasal Endoscopy Combined with Multiple Radiofrequency for Perennial Allergic Rhinitis" accessible to the public as of July 2005. As I explained above, the National Library of Medicine first acquired this journal series as of October 16, 1998, and a copy of the relevant issue is still accessible there today as evidenced by FANG04. Thus, the journal would have been accessible to members of the public, both for issues prior to July 20, 2005, and for the July 20, 2005, issue at least as of July 20, 2005, the date of acquisition.

C. Public Accessibility of Fang Online as of July 20, 2005

49. Attached hereto as Appendix FANG05 are screen captures from a web page titled "Nasal Endoscopy Combined with Multiple Radiofrequency for Perennial Allergic Rhinitis" hosted by the Journal of Southern Medical University website.[5] I secured these screen captures from https://www.j-smu.com/EN/abstract/abstract4672.shtml#1. This page contains a description of "Nasal Endoscopy Combined with Multiple Radiofrequency for Perennial Allergic Rhinitis" by Fang Chao-Xin and Zhen Shao-Shao as well as a full PDF copy of the paper. The page indicates that the paper was accessible online as of July 20, 2005, and published as of the same date. This is consistent with my determination that the paper was made publicly accessible in the Shanghai Library as of July 20, 2005, and further confirms that the paper was also made accessible to the public online as of July 20, 2005. The journal's website would have been readily searchable, for example, using an online search engine.

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[5] The Journal of First Military Medical University changed its name to Journal of Southern Medical University around the time that the University for which it is named changed names. *See, e.g.*, Exhibit 1073, 20 (discussing "Guangzhou Southern Medical University (formerly the First Military Medical University)").

50. Page 4 of Appendix FANG05 is the PDF I downloaded from the link on Page 1 of Appendix FANG05. According to metadata I retrieved from this PDF copy, the presently accessible paper has a creation date of August 5, 2005, and was last modified as of August 27, 2005. Appendix FANG05 therefore indicates that this particular PDF version of "Nasal Endoscopy Combined with Multiple Radiofrequency for Perennial Allergic Rhinitis" was completed as of August 27, 2005, and posted online soon thereafter.

51. Attached hereto as Appendix FANG07 and Appendix FANG08 are translator's declarations containing translations of the Chinese language website for the successor journal (Journal of Southern Medical University) to the one that published "Nasal Endoscopy Combined with Multiple Radiofrequency for Perennial Allergic Rhinitis." FANG07 includes the English translation of https://www.j-smu.com/CN/Y2005/V25/I07/876 and FANG08 includes the English translation of https://www.j-smu.com/CN/volumn/volumn_185.shtml. Like FANG05, FANG07 indicates that the paper was accessible online as of July 20, 2005, and published as of the same date. Similarly, FANG08 indicates that the issue, which includes "Nasal endoscopy combined with multiple radiofrequency for perennial allergic rhinitis" was published on July 20, 2005. These pages are consistent with my determination that the paper was made publicly accessible in the

Shanghai Library as of July 20, 2005, and further confirm that the paper was also made accessible to the public online as of July 20, 2005. The journal's website would have been readily searchable, for example, using an online search engine.

52. Page 26 of Exhibit 1073, which is a translation of bibliographic information preceding "Nasal endoscopy combined with multiple radiofrequency for perennial allergic rhinitis" in the same issue indicates the following about the online accessibility of articles from the journal in a "[n]ote to readers":

> The link between PubMed (www.ncbi.nlm.nih.gov) and the full text of the Journal of First Military Medical University (www.jfmmu.com) has been successful, that is, when retrieving articles in this journal in the PubMed database, you can first read the title, abstract, and other information. If you need the full text of the article, you can click on the full text hyperlink icon on the article and browse the full text in PDF format using the Acrobat Reader. In addition, as of the end of June 2005, a total of 1,632 articles of this journal could be retrieved from the PubMed database using the journal name "Di Yi Jun Yi Da Xue Bao" for access.

53. This confirms that by the time "Nasal endoscopy combined with multiple radiofrequency for perennial allergic rhinitis" was published (July 20, 2005), a link containing a PDF copy of "Nasal endoscopy combined with multiple radiofrequency for perennial allergic rhinitis" was accessible online at the journal's website (www.jfmmu.com). The PDF was also linked from PubMed, which, as I explained above, was (and is today) a well-known searchable database of biomedical literature. This indicates that "Nasal endoscopy combined with multiple radiofrequency for perennial allergic rhinitis" was also accessible online (both in the searchable PubMed database and at www.jfmmu.com) as of the July 20, 2005, the date of publication.

54. Attached hereto as Appendix FANG06 are screen captures from a Google Scholar search for "Nasal Endoscopy Combined with Multiple Radiofrequency for Perennial Allergic Rhinitis". I secured these screen captures from https://scholar.google.com/scholar?cites=11666639172196278871&hl=en. Google Scholar is a web service that tracks citations of literary works, which those in the field of library sciences consider to be reliable. Appendix FANG06 contains a list of citations for "Nasal Endoscopy Combined with Multiple Radiofrequency for Perennial Allergic Rhinitis" by Fang Chao-Xin and Zhen Shao-Shao. This page lists seven citations for "Nasal Endoscopy

Combined with Multiple Radiofrequency for Perennial Allergic Rhinitis," ranging in publication date from 2006 to 2023. I have reviewed two of the works citing the Fang paper: "Radiofrequency Thermal Ablation for Patients with Nasal Symptoms: A Systematic Review of Effectiveness and Complications" by ML Hytönen (2009), et. al. and "The Psychological Characteristics of the Otorhinolaryngologic Allergic Patients" by Nikolaos Gelis. Both papers contain a citation to the Fang paper. The former is included as Exhibit 1031, and the latter is accessible online at https://thesis.ekt.gr/thesisBookReader/id/24373#page/1/mode/2up.

55. Appendix FANG06 indicates "Nasal Endoscopy Combined with Multiple Radiofrequency for Perennial Allergic Rhinitis" was accessed by members of the public from 2006 to 2023. Although I have been informed and understand that actual access is not required to show that a document was publicly accessible, these examples of actual access confirm that "Nasal Endoscopy Combined with Multiple Radiofrequency for Perennial Allergic Rhinitis" was accessible and considered by skilled artisans soon after publication.

* * *

56. Considering this information, it is my determination that "Nasal Endoscopy Combined with Multiple Radiofrequency for Perennial Allergic Rhinitis" was

first made accessible to the public as of July 20, 2005 by virtue of being accessible at the Shanghai Library, the National Library of Medicine, and online at the Journal of Southern Medical University's website, the Journal of First Military University's website, and PubMed's website. The later accessibility online and evidence of access by virtue of citations after publication confirms that the document continued to be accessible to the public.

VIII. KONG

57. I have reviewed Exhibit 1074, which is a declaration certifying the English language translation of "Clinical Observation on Radiofrequency Ablation Treatment in Perennial Allergic Rhinitis" by Kong Yonggang, Sheng Jianfei, Tao Zezhang and Wu Yuzhen as published in *Journal of Clinical Otorhinolaryngology*, March 2005, originally published in Chinese, which appears on pages 4-5 of that exhibit. It is my opinion that Kong was publicly accessible to persons of skill in the art at least as of March 2005.

A. Public Accessibility of Kong at the National Library of Medicine as of March 2005

58. Attached hereto as Appendix KONG01 is a true and correct copy of the MARC record for *Journal of Clinical Otorhinolaryngology* held by the

National Library of Medicine. I secured this record myself from the library's public catalog. The MARC record contained within Appendix KONG01 accurately describes the title, author, publisher, and ISSN number of *Journal of Clinical Otorhinolaryngology.* The 'Location Items' field of this record visible on page 2 indicates this collection includes the March 2005 edition of *Journal of Clinical Otorhinolaryngology* containing "Clinical Observation on Radiofrequency Ablation Treatment in Perennial Allergic Rhinitis".

59. Attached hereto as Appendix KONG02 is a true and correct copy of "Clinical Observation on Radiofrequency Ablation Treatment in Perennial Allergic Rhinitis" as published in *Journal of Clinical Otorhinolaryngology* held by the National Library of Medicine. These scans were secured from the library's collection. In comparing pages 4-5 of Exhibit 1074 to Appendix KONG02, it is my determination that pages 4-5 of Exhibit 1074 include a true and correct copy of "Clinical Observation on Radiofrequency Ablation Treatment in Perennial Allergic Rhinitis" by Kong Yonggang, Sheng Jianfei, Tao Zezhang and Wu Yuzhen as published in *Journal of Clinical Otorhinolaryngology*, March 2005 that matches the copy held by the National Library of Medicine. For example, both list the same English title, authors, abstract, and keywords, and picking other reference characters on the pages, I cannot identify any substantive differences.

60. The 008 field of the MARC record in Appendix KONG01 indicates the date of record creation. The 008 field of Appendix KONG01 indicates the National Library of Medicine first acquired this journal as of August 2, 1995, and received the latest issues of the journal until 2006. The record indicates that such issues were and continue to be accessible today. Considering this information, it is my determination that *Journal of Clinical Otorhinolaryngology* March 2005 and therefore "Clinical Observation on Radiofrequency Ablation Treatment in Perennial Allergic Rhinitis" was made accessible to the public shortly after its initial acquisition when published as of March 2005.

61. Appendices KONG01 and KONG02 indicate the National Library of Medicine secured, entered into their records (and therefore indexed), and made "Clinical Observation on Radiofrequency Ablation Treatment in Perennial Allergic Rhinitis" accessible to the public as of March 2005. As I explained above, the National Library of Medicine first acquired this journal series as of August 2, 1995, and a copy of the relevant issue is still accessible there today as evidenced by KONG02. Thus, the journal would have been accessible to members of the public, both for issues prior to March 2005 and for the March 2005 issue at least as of March 2005, the date of acquisition.

B. Public Accessibility of Kong at the University of Iowa as of March 2005

62. Attached hereto as Appendix KONG03 is a true and correct copy of the MARC record for *Journal of Clinical Otorhinolaryngology* held by the University of Iowa. I secured this record myself from the library's public catalog. The MARC record contained within Appendix KONG03 accurately describes the title, author, publisher, and ISSN number of *Journal of Clinical Otorhinolaryngology.* The 'Request Options' field of this record visible on page 2 indicates this collection includes the March 2005 edition of *Journal of Clinical Otorhinolaryngology* containing "Clinical Observation on Radiofrequency Ablation Treatment in Perennial Allergic Rhinitis".

63. The 008 field of the MARC record in Appendix KONG03 indicates the date of record creation. The 008 field of Appendix KONG03 indicates the University of Iowa first acquired this journal as of October 21, 1995, and received the latest issues of the journal until 2006. The record indicates that such issues were and continue to be accessible today. Considering this information, it is my determination that *Journal of Clinical Otorhinolaryngology* March 2005 and therefore "Clinical Observation on Radiofrequency Ablation Treatment in Perennial Allergic Rhinitis" was made

accessible to the public shortly after its initial acquisition when published as of March 2005.

64. Appendix KONG03 indicates the University of Iowa secured, entered into their records (and therefore indexed), and made "Clinical Observation on Radiofrequency Ablation Treatment in Perennial Allergic Rhinitis" accessible to the public as of March 2005. As I explained above, the University of Iowa library first acquired this journal series as of October 21, 1995, and a copy of the relevant issue is still accessible there today (for example, the item record on KONG03 indicates the presence of a holding for "'2005 1-6', '2005 7-12', '2005 13-18' and '2005 19-25,'" which includes Volume 19 Issue 5 from 2005 in which Kong was published). Thus, the journal would have been accessible to members of the public, both for issues prior to March 2005 and for the March 2005 issue at least as of March 2005, the date of acquisition.

* * *

65. Considering this information, it is my determination that "Clinical Observation on Radiofrequency Ablation Treatment in Perennial Allergic Rhinitis" was first made accessible to the public as of March 2005 by virtue of being accessible at the National Library of Medicine and the University of

Iowa. The presence of a copy at the National Library of Medicine in 2024 confirms that the document continued to be accessible to the public.

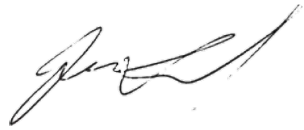
IX. CONCLUSION

66. In signing this Declaration, I recognize that the Declaration will be filed as evidence in a contested case before the Patent Trial and Appeal Board of the United States Patent and Trademark Office. I also recognize that I may be subject to cross examination in the case and that cross examination will take place within the United States. If cross examination is required of me, I will appear for cross examination within the United States during the time allotted for cross examination.

67. I reserve the right to supplement my opinions in the future to respond to any arguments that Patentee raises and to take into account new information as it becomes accessible to me.

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

Dated: 1/16/2024



June Ann Munford

APPENDIX CV

June A. Munford
Curriculum Vitae

Education

University of Wisconsin-Milwaukee - MS, Library & Information Science, 2009
Milwaukee, WI

- Coursework included cataloging, metadata, data analysis, library systems, management strategies and collection development.
- Specialized in library advocacy, cataloging and public administration.

Grand Valley State University - BA, English Language & Literature, 2008
Allendale, MI

- Coursework included linguistics, documentation and literary analysis.
- Minor in political science with a focus in local-level economics and government.

Professional Experience

Researcher / Expert Witness, October 2017 – present
Freelance ● Pittsburgh, Pennsylvania & Grand Rapids, Michigan

- Material authentication and public accessibility determination. Declarations of authenticity and/or public accessibility provided upon research completion. Experienced with appeals and deposition process.

- Research provided on topics of public library operations, material publication history, digital database services and legacy web resources.

- Past clients include Alston & Bird, Arnold & Porter, Baker Botts, Fish & Richardson, Erise IP, Irell & Manella, O'Melveny & Myers, Perkins-Coie, Pillsbury Winthrop Shaw Pittman and Slayden Grubert Beard.

Library Director, February 2013 - March 2015
Dowagiac District Library ● Dowagiac, Michigan

- Executive administrator of the Dowagiac District Library. Located in

Southwest Michigan, this library has a service area of 13,000, an annual operating budget of over $400,000 and total assets of approximately $1,300,000.

● Developed careful budgeting guidelines to produce a 15% surplus during the 2013-2014 & 2014-2015 fiscal years while being audited.

● Using this budget surplus, oversaw significant library investments including the purchase of property for a future building site, demolition of existing buildings and building renovation projects on the current facility.

● Led the organization and digitization of the library's archival records.

● Served as the public representative for the library, developing business relationships with local school, museum and tribal government entities.

● Developed an objective-based analysis system for measuring library services - including a full collection analysis of the library's 50,000+ circulating items and their records.

November 2010 - January 2013
Librarian & Branch Manager, Anchorage Public Library ● Anchorage, Alaska

● Headed the 2013 Anchorage Reads community reading campaign including event planning, staging public performances and creating marketing materials for mass distribution.

● Co-led the social media department of the library's marketing team, drafting social media guidelines, creating original content and instituting long-term planning via content calendars.

● Developed business relationships with The Boys & Girls Club, Anchorage School District and the US Army to establish summer reading programs for children.

June 2004 - September 2005, September 2006 - October 2013
Library Assistant, Hart Area Public Library
Hart, MI

● Responsible for verifying imported MARC records and original MARC

cataloging for the local-level collection as well as the Michigan Electronic Library.

● Handled OCLC Worldcat interlibrary loan requests & fulfillment via ongoing communication with lending libraries.

Professional Involvement

Alaska Library Association - Anchorage Chapter
● Treasurer, 2012

Library Of Michigan
● Level VII Certification, 2008
● Level II Certification, 2013

Michigan Library Association Annual Conference 2014
● New Directors Conference Panel Member

Southwest Michigan Library Cooperative
● Represented the Dowagiac District Library, 2013-2015

Professional Development

Library Of Michigan Beginning Workshop, May 2008
Petoskey, MI
● Received training in cataloging, local history, collection management, children's literacy and reference service.

Public Library Association Intensive Library Management Training, October 2011
Nashville, TN
● Attended a five-day workshop focused on strategic planning, staff management, statistical analysis, collections and cataloging theory.

Alaska Library Association Annual Conference 2012 - Fairbanks, February 2012
Fairbanks, AK
● Attended seminars on EBSCO advanced search methods, budgeting, cataloging, database usage and marketing.

Depositions

2019 ● Fish & Richardson

Apple v. Qualcomm (IPR2018-001281, 39521-00421IP, IPR2018-01282 and 39521-00421IP2)

2019 ● Erise IP

Implicit, LLC v. Netscout Systems, Inc (Civil Action No. 2:18-cv-53-JRG)

2019 ● Perkins-Coie

Adobe Inc. v. RAH Color Technologies LLC (Cases IPR2019-00627, IPR2019-00628, IPR2019-00629 and IPR2019-00646)

2020 ● O'Melveny & Myers

Maxell, Ltd. v. Apple Inc. (Case No. 5:19-cv-00036-RWS)

2021 ● Pillsbury Winthrop Shaw Pittman LLP

Intel v. SRC (IPR2020-1449)

2022 ● Perkins-Coie

Realtek v. Future Link (IPR2021-01182)

2023 ● Fish & Richardson

Neuroderm Ltd. v. Abbvie, Inc (Case No. PGR2022-00040)

2023 ● Fish & Richardson

Nearmap US Inc. v. Pictometry International Corp. (IPR2022-00735)

2023 ● Fish & Richardson

Samsung Electronics v. MemoryWeb LLC (Case No. 39843-0136PS1)

2023 ● Pillsbury Winthrop Shaw Whitman LLP

Gravel Rating Systems v. Costco Wholesale Corp. (Civil Action No. 4:21-cv-149-ALM)

Limited Case and Clientele History

Alston & Bird

- Ericsson

  v. Collision Communications (IPR2022-01233)

- Nokia

  v. Neptune Subsea, Xtera (Case No. 1:17-cv-01876)

- Universal Electronics Inc

  v. Roku Inc (IPR2022-00818)

Arnold & Porter

- Ivantis

  v. Glaukos (Case No. 8:18-cv-00620)

- Samsung

  v. Jawbone (Case No. 2:21-cv-00186)

Benesch Friedlander Coplan & Aronoff

- Voyis

  v. Cathx (Case No. 5:21-cv-00077-RWS)

Erise I.P.

- Apple
  - v. Ericsson Inc. (IPR2022-00715)
  - v. Future Link Systems (IPRs 6317804, 6622108, 6807505, and 7917680)
  - v. INVT (Case No. 20-1881)
  - v. Navblazer LLC (IPR2020-01253)
  - v. Qualcomm (IPR2018-001281, 39521-00421IP, IPR2018-01282, 39521-00421IP2)
  - v. Quest Nettech Corp (Case No. 2:19-cv-00118-JRG)
  - v. Telefonaktiebolaget LM Ericsson (IPR2022-00275)

- Fanduel
  - v. CGT (Case No. 19-1393)

- Garmin
  - v. Phillips North America LLC (Case No. 2:19-cv-6301-AB-KS)

- Netscout
  - v. Longhorn HD LLC (Case No. 2:20-cv-00349)
  - v. Implicit, LLC (Civil Action No. 2:18-cv-53-JRG)

- Sony Interactive Entertainment LLC
  - v. Bot M8 LLC (IPR2020-01288)
  - v. Infernal Technology LLC (Case No. 2:19-CV-00248-JRG)

- Unified Patents

v. GE Video Compression (Civil Action No. 2:19-cv-248)

Fish & Richardson

- Apple

  v. AliveCor (3:21-cv-03958)

  v. LBS Innovations (Case No. 2:19-cv-00119-JRG-RSP)

  v. Koss Corporation (IPR2021-00305)

  v. Masimo (IPR 50095-0012IP1, 50095-0012IP2, 50095-0013IP1, 50095-0013IP2, 50095-0006IP1, 50095-0135IP1)

  v. Neonode (Case No. 21-cv-08872-EMC)

  v. Qualcomm (IPR2018-001281, 39521-00421IP, IPR2018-01282, 39521-00421IP2)

- Dell

  v. Neo Wireless (IPR2022-00616)

- Dish Network

  v. Entropic Communications, LLC (Case No. 2:2023-CV-01043)

  v. Realtime Adaptive Streaming (Case No. 1:17-CV-02097-RBJ)

  v. TQ Delta LLC (Case No. 18-1798)

- Evapco Dry Cooling

  v. SPG Dry Cooling (IPR2021-00688)

- Genetec

  v. Sensormatic Electronics (Case No. 1:20-CV-00760)

- Huawei

v. Bell Northern Research LLC (IPR2019-01174)

- Kianxis

  v. Blue Yonder (Case No. 3:20-cv-03636)

- LG Electronics

  v. Bell Northern Research LLC (Case No. 3:18-cv-2864-CAB-BLM)

- Metaswitch

  v. Sonus Networks (IPR2018-01719)

- Microsoft

  v. Throughputer Inc (IPR2022-00757)

- Mom Enterprises

  v. Ddrops Company (Case No. 1:22-cv-00332)

- MLC Intellectual Property

  v. MicronTech (Case No. 3:14-cv-03657-SI)

- Nearmap Inc

  v. EagleView Technologies (IPR2022-01009)

- Neuroderm Ltd.

  v. Abbvie, Inc (Case No. PGR2022-00040)

- Realtek Semiconductor

v. Future Link (IPR2021-01182)

- Quectel

  v. Koninklijke Philips (Case No. 1:20-cv-01710)

- Samsung

  v. Aire Technology (IPR2022-00877)

  v. Bell Northern Research (Case No. 2:19-cv-00286-JRG)

  v. Communication Technologies Inc (IPR2022-01221)

  v. Jawbone Innovations (IPR2022-00865)

  v. MemoryWeb LLC (IPR2022-00885)

  v. Dodots Licensing Solutions (IPR2023-00701)

  v. Telefonaktiebolaget LM Ericsson (IPR2021-00615)

- Texas Instruments

  v. Vantage Micro LLC (IPR2020-01261)

- Xilinx

  v. Sentient Sensors LCC (Case No. 1:22-cv-00173)

Irell & Manella

- Curium

O'Melveny & Myers

- Apple

  v. Maxell (Case No. 5:19-cv-00036-RWS)

- Micron Technology Inc.

  v. Besang Inc (IPR2023-00900)

- Samsung

  v. Daedalus Prime LLC (1335 Investigation)

Perkins-Coie

- Heru Industries

  v. The UAB Research Foundation (IPR2022-01148)

- Intel Corporation

  v. BitMICRO (Case No. 5:23-cv-00625)

- Realtek Semiconductor

  v. Future Link (IPR2021-01182)

- Twitter Inc

  v. VOIP-Pal.com (Case No. 3:20-cv-02397-JD)

- TCL Industries

  v. Koninklijke Philips NV (IPR2021-00495, IPR2021-00496 and IPR2021-00497)

Pillsbury Winthrop Shaw Pittman

- Intel

  v. FG SRC LLC (Case No. 6:20-cv-00315)

- Gravel Rating Systems

v. Costco (Case No. 4:21-cv-149)
v. Lowe's Home Centers (Case No. 4:21-cv-150)
v. T-Mobile USA (Case No. 4:21-cv-152)
v. Kohl's Inc. (Case No. 4:21-cv-258)
v. Under Armor (Case No. 4:21-cv-356)

Quinn Emanuel

- Wolfspeed

    v. The Trustees of Purdue University (Case No. 1:2021-cv-00840)

Stern, Kessler, Goldstein & Fox

- Preliminary Research

Sheppard, Mullin, Richter & Hampton LLP

- Cadence Design Systems Inc.

    v. Semiconductor Design Technologies (Case No. 3:23-cv-01001)