

I, John W. Harbin, declare under penalty of perjury as follows:

1. I have been in private practice since November 1984.
2. I have been practicing law in the field of intellectual property litigation, including patent litigation, for more than 25 years. I have been lead trial counsel on numerous patent litigation cases.
3. I am a member in good standing of the State Bar of Georgia. I am also admitted to practice before the U.S. Court of Federal Claims, the U.S. Court of Appeals for the Federal Circuit, the U.S. Court of Appeals for the Eleventh Circuit, the U.S. District Court for the Northern District of Georgia, the U.S. District Court for the Southern District of Georgia, and the Supreme Court of Georgia.
4. I have never been suspended or disbarred from practice before any court or administrative body.
5. I have never had an application for admission to practice before any court or administrative body denied.
6. I have never had any sanctions or contempt citations imposed against me by any court or administrative body.
7. 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 title 37 of the C.F.R.

8. I agree to be subject to the USPTO Rules of Professional Conduct as set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

9. Within the last three years, I have appeared in the following proceedings before the Patent Trial and Appeal Board via pro hac vice admission:

a. PROLLENIUM US INC. v. ALLERGAN INDUSTRIE, SAS, Case Nos. IPR2019-01505, IPR2019-01506, IPR2019-01508, IPR2019-01509, IPR2019-01617, IPR2019-01632; IPR2020-00084, IPR2020-00901, and IPR2020-00902;

b. SELECT SIRES INC., SEMEX ALLIANCE, INC., URUS GROUP LP, AND INGURAN, LLC D/B/A STGENETICS, v. ABS GLOBAL, INC., Case Nos. PGR2022-00019 and PGR2022-00020.

10. I am one of the counsel of record in the district court and federal circuit appellate court cases relating to this proceeding.

11. I am familiar with the subject matter of this proceeding.

12. I am a senior member of the team that is currently preparing the Petition for Inter Partes Review of U.S. Patent No. 9,237,935 for this proceeding.

13. I declare that all statements made herein on 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 18 U.S.C. § 1001.

Dated: January 24, 2024

Respectfully submitted,

/John W. Harbin/
John W. Harbin