

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

JEISYS MEDICAL INC. AND ILOODA CO., LTD.,
Petitioners,

v.

SERENDIA, LLC,
Patent Owner.

U.S. Patent No. 9,320,536
Filed: February 22, 2012
Issued: April 26, 2016
Inventor: Jongju Na

TITLE: METHOD, SYSTEM, AND APPARATUS
FOR DERMATOLOGICAL TREATMENT

Inter Partes Review No. IPR2024-00384

PETITIONERS' UNOPPOSED MOTION TO SUBSTITUTE EXPERT

EXHIBITS

Exhibit	Description
1001	U.S. Patent No. 9,320,536 (“the ’536 Patent”)
1002	Certified Copy of File Wrapper of the ’536 Patent
1003	[Corrected] Declaration of Dany Bérubé, Ph.D.
1004	U.S. Patent No. 8,608,737 to Mehta <i>et al.</i> (“ <u>Mehta</u> ”)
1005	International Patent Application Publication No. WO 2010/016848 by Na <i>et al.</i> (“ <u>Na</u> ’848”)
1006	[Reserved]
1007	Order No. 35 Construing Certain Terms of the Asserted Claims (Markman Claim Construction) from Related ITC Action
1008	[Reserved]
1009	[Reserved]
1010	Korean Registered Utility Model KR20-0441552 to Lee <i>et al.</i> (“ <u>Lee</u> ”)
1011	Certified Translation of Korean Registered Utility Model KR20-0441552 to Lee <i>et al.</i> (“ <u>Lee</u> ”)
1012	International Patent Application Publication No. WO 2008/005477 by Livneh (“ <u>Livneh</u> ”)
1013	Korean Registered Patent KR10-0719395 to Kang (“ <u>Kang</u> ”)
1014	Certified Translation of Korean Registered Patent KR10-0719395 to Kang (“ <u>Kang</u> ”)
1015	U.S. Patent No. 7,824,394 to Manstein (“ <u>Manstein</u> ”)

Exhibit	Description
1016	U.S. Patent No. 7,618,429 to Mulholland (“ <u>Mulholland</u> ”)
1017	U.S. Patent Application Publication No. 2007/0142885 by Hantash <i>et al.</i> (“ <u>Hantash</u> ”).
1018	U.S. Patent Application Publication No. 2009/0093749 by Shalev <i>et al.</i> (“ <u>Shalev</u> ”)
1019	U.S. Patent Application Publication No. 2009/0048557 by Yeshurun <i>et al.</i> (“ <u>Yeshurun</u> ”)
1020	U.S. Patent No. 9,775,774 to Na (“the ’774 patent”)
1021- 1024	[Reserved]
1025	U.S. Provisional Patent Application No. 61/449,080 by Na
1026	Substitute Declaration of Jean Woloszko, Ph.D.

Pursuant to 37 C.F.R. § 42.53(a) and (b), Petitioners respectfully request that the Board allow them to substitute their current expert, Dr. Dany Bérubé, with Dr. Jean Woloszko and to submit the Declaration of Dr. Woloszko (Ex. 1026) adopting the opinions set forth in the Declaration of Dr. Bérubé (Ex. 1003). In support of its motion, Petitioner states the following:

1. Petitioners submitted the Declaration of Dr. Bérubé on January 8, 2024, in support of their Petition filed that same day. Petitioners submitted both a Corrected Declaration of Dr. Bérubé and a Corrected Petition on January 18, 2024.

2. Due to contractual obligations arising after being retained by Petitioners, Dr. Bérubé will no longer be able to continue to serve as an expert in this proceeding.

3. Petitioners have identified Dr. Woloszko to serve as a substitute expert for Dr. Bérubé in the proceeding. Patent Owner does not object to the substitute expert or to this Motion.

4. Dr. Woloszko has over 30 years of experience in the medical device industry, is a recognized expert in the field of high frequency surgical systems—including those used to remodel the dermal layer of the skin, and is a named inventor on 114 U.S. Patents and over 55 European Patents for medical device technology. Dr. Woloszko's qualifications are further detailed in Ex. 1026.

5. As set forth in his declaration, Dr. Woloszko has reviewed the Corrected Declaration of Dr. Bérubé and agrees with and adopts the opinions set forth therein. Dr. Woloszko has also agreed to be deposed on those opinions.

6. For the foregoing reasons, Petitioners respectfully request that the Board allow them to substitute their expert and file as an exhibit the Woloszko Declaration.

Respectfully submitted,

Date: March 1, 2024

/s/ Wesley O. Mueller
Wesley O. Mueller (Reg. No. 33,976)
Lead Counsel for Petitioners

CERTIFICATE OF SERVICE

The undersigned certifies that a complete copy of this Motion to Substitute Expert Declaration was served via electronic email on Patent Owner's counsel of record listed below, pursuant to its January 26, 2024 Mandatory Notices, on Friday, March 1, 2024:

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