UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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UNDER ARMOUR, INC.
Petitioner

v.

ATHALONZ, LLC
Patent Owner

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Case No. IPR2024-00639
Patent No. 11,375,768

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DECLARATION OF ERIC T. HARMON IN SUPPORT OF MOTION FOR PRO HAC VICE ADMISSION

Pursuant to 37 C.F.R. § 1.68, I, Eric T. Harmon declare as follows:

1. I am more than twenty-one years of age, am competent to present this declaration, and have personal knowledge of the facts set forth herein.

2. This declaration is given in support of Petitioner's Motion for *Pro Hac Vice* Admission of Eric T. Harmon.

3. I am an attorney at the law firm of Venable LLP. I practice out of Venable's office in Washington, D.C.

4. I graduated law school in 2021 from the George Washington University Law School and have been with Venable for over three years. My practice has been focused on intellectual property litigation, and I have been involved in many cases involving patent infringement and validity in district courts across the country. I have a degree in physics, and a significant portion of my work as an attorney has involved consumer goods, software, computing technologies, and communications networks. I have established familiarity with the legal issues involved in these proceedings based on my education and experience litigating patents.

5. I am a member in good standing of the Bar of the District of Columbia. My District of Columbia Bar ID is 1780363.

6. I have not been suspended or disbarred from practice before any court or administrative body.

7. I have never had an application for admission to practice before any court or administrative body denied.

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

9. 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 37 C.F.R.

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

11. In the last three years, I have applied to appear *pro hac vice* in the following other proceedings before the Office: IPR2024-00636, IPR2024-00637, IPR2024-00638, IPR2024-00640, which each concern related patents.

12. I have had involvement in this *Inter Partes* Review proceeding dating back to its inception in March 2024. I participated in drafting the petitions filed, and have reviewed the papers filed, in this proceeding and the related proceedings. Since November 2023, I have been counsel for Petitioner Under Armour, Inc., in the co-pending case *Athalonz LLC v. Under Armour, Inc.*, No. 2:23-cv-00193 (E.D. Tex.), which is related to and involves the same patent at issue in this proceeding.

13. I have engaged in strategic and substantive discussions regarding this proceeding with Frank C. Cimino, who is the lead counsel for Petitioner, as well as

with Megan S. Woodworth, Robert E. Bugg, and Justin J. Oliver, who are designated as back-up counsel for Petitioner. I have also engaged in substantive discussions with experts concerning issues relevant to this proceeding.

14. I am also familiar with the subject matter and petition at issue in this proceeding, including the patent, its prosecution history, the prior art, and the various issues raised.

15. 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 are made with the knowledge that willful false statements and the like are punishable by fine, imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Date: May 21, 2025

Respectfully submitted,

/Eric T. Harmon /

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