

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ABBOTT DIABETES CARE INC.,
Petitioner,

v.

DEXCOM, INC.,
Patent Owner.

IPR2024-00860
U.S. Patent No. 11,510,625

**DECLARATION OF SCOTT E. DAVIS
IN SUPPORT OF MOTION FOR *PRO HAC VICE* ADMISSION**

Abbott Diabetes v. Dexcom
IPR2024-00860
EXHIBIT 2001

I, Scott E. Davis, under penalty of perjury, hereby attest to the following:

1. I am a member in good standing of the Bar of the States of Oregon and California.

2. I am admitted to practice before several federal courts, including the United States Court of Appeals for the Federal Circuit, the United States Court of Appeals for the Ninth Circuit, the United States District Court for the Central District of California, the United States District Court for the Northern District of California, the United States District Court for the Southern District of California, the United States District Court for the Eastern District of Texas, the United States District Court for the Southern District of Texas and the United States District Court for the District of Oregon.

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

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

5. No sanctions or contempt citations have been imposed against me by any court or administrative body.

6. 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.

7. I will be subject to the USPTO 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).

8. I have not applied to appear *pro hac vice* before the United States Patent and Trademark Office in any other proceedings in the last three years.

9. I am an experienced litigation attorney, with over 22 years of experience litigating patent cases and other intellectual property cases in federal courts. I have been involved in numerous patent litigation cases in federal courts, including as lead counsel. My experience includes representing a wide range of clients through all phases of complex patent litigation, including discovery, expert reports, depositions, claim construction, dispositive motions, hearings and trial. I have also served as a judicial law clerk to United States District Judge A. Howard Matz (now retired) in the Central District of California during the 2000-2001 term, and I worked on a number of patent cases and trials in that role. I have represented Patent Owner DexCom, Inc. in connection with patent matters in courts and other contested proceedings for more than eight years.

10. I have worked with lead counsel in most aspects of his participation in this proceeding, including the drafting of the response. As such, I have reviewed and am very familiar with (i) U.S. Patent No. 11,510,625, the patent at issue in this matter, (ii) the prior art relied upon by Petitioner, (iii) the legal and factual arguments

made by the Petitioner, and (iv) the developments in other matters before the Board between the same parties. Accordingly, I have established familiarity with the subject matter at issue in these proceedings and the conduct of these proceedings to date.

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 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: June 5, 2024

/Scott E. Davis/
Scott E. Davis