UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BOTE, LLC,
Petitioner

v.

STEAMBOAT PADDLESPORTS, LLC,
Patent Owner.

IPR2024-00889
U.S. Patent No. 10,479,458

DECLARATION OF DAVID A. MANCINO IN SUPPORT OF MOTION FOR FINDING THAT PATENT OWNER ABANDONED THE CONTEST AND CONSTRUCTIVELY REQUESTS ADVERSE JUDGMENT UNDER 37 C.F.R. § 42.73(b)(4)

I, David A. Mancino, declare:

1. I am a partner at Baker & Hostetler LLP. I am lead counsel to Petitioner BOTE, LLC in IPR2024-00889 ("this IPR"). I make this declaration in support of Petitioner's Motion for finding that Patent Owner Steamboat Paddlesports, LLC abandoned the contest and constructively requests adverse judgment under 37 C.F.R. § 42.73(b)(4) ("Motion"). Unless otherwise stated, I make this declaration based on my personal knowledge.

2. On January 27, 2025, the Board granted Patent Owner's counsel of record its motion to withdraw from representation of Patent Owner in this IPR (Paper 16, the "Order").

3. As of the filing of this Motion, Patent Owner has not filed any Response to the Petition, which was due Feb. 18, 2025.

4. Since the Order and as of the filing of this Motion, Patent Owner has not informed either Petitioner or the Board that Patent Owner has assigned new counsel for this matter. No new counsel has filed revised Mandatory Notices.

5. Since the Order and as of the filing of this Motion, Patent Owner has not contacted Petitioner to schedule a conference call with the Board.

6. Since the Order and as of the filing of this Motion, Patent Owner has not contacted Petitioner to discuss a stipulation for a revised due date for its Response.

7. Since the Order and as of the filing of this Motion, Patent Owner has not made any attempt whatsoever to contact Petitioner regarding this IPR.

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 with 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 State Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

Date: February 21, 2025

/David A. Mancino/

Signed by:
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