IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ASCEND ELEMENTS, INC.,
Petitioner,

v.

DUESENFELD GMBH,
Patent Owner.

IPR2024-00948
Patent 11,050,097

Before MEREDITH C. PETRAVICK, CHRISTPHER M. KAISER, and KEVIN W. CHERRY, *Administrative Patent Judges*.

DECLARATION OF CONOR MCDONOUGH IN SUPPORT OF UNOPPOSED MOTION FOR *PRO HAC VICE* ADMISSION

I, Conor McDonough, being duly sworn and upon oath, hereby attest to the following:

1. I am a member in good standing of the Bars of New York and Massachusetts.

2. I have never been suspended or disbarred from practice before any court or administrative body.

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

4. No sanction or contempt citation has ever been imposed against me by any court or administrative body.

5. 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 37 C.F.R. Part 42.

6. 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).

7. I have not applied for *pro hac vice* admission before the USPTO in the last three (3) years.

8. I am an experienced litigation attorney having familiarity with the subject matter at issue in this proceeding. I have been practicing law since 2010 and have extensive experience litigating patent infringement cases in many different District Courts across the country and the International Trade Commission. Among my experience in patent litigation matters, I have been involved in drafting and arguing briefs before the Court, including Markman hearings, performing validity and infringement analyses, overseeing all aspects of claim construction, conducting discovery investigations, managing expert witnesses, and taking and defending depositions, and examining witnesses at trial.

9. I am familiar with U.S. Patent No. 11,050,097 ("the '097 Patent") and the issues involved in this case. I am one of the attorneys representing Petitioner Ascend Elements, Inc. against Duesenfeld GMBH in the pending district court litigation—where Patent Owner has asserted infringement of the '097 Patent—and have been actively involved with representing Ascend in that action since January 2024. In that proceeding, I have, among other things, been involved with the analysis of the asserted '097 Patent, including with respect to validity issues. I am therefore familiar with the substantive and technical issues in this proceeding.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 28th day of January 2025, in Needham, MA.

/s/ Conor McDonough
Conor McDonough