UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HANWHA SOLUTIONS CORPORATION,

Petitioner,

v.

MAXEON SOLAR PTE. LTD.,

Patent Owner.

Case No. IPR2024-01198

U.S. Patent No. 11,251,315

DECLARATION OF MARK D. SELWYN IN SUPPORT OF PETITIONER'S NOTICE OF INTENT TO DESIGNATE MARK D. SELWYN, A PROVISIONALLY RECOGNIZED PTAB ATTORNEY, AS BACK-UP COUNSEL PURSUANT TO 37 C.F.R. § 42.10(c)

I, Mark D. Selwyn, declare as follows:

1. I obtained a B.A. from Harvard College in 1990 and a J.D. from Columbia Law School in 1993. I am a partner at the law firm of Wilmer Cutler Pickering Hale and Dorr LLP in Palo Alto, California.

2. I have been practicing law for over thirty years. For most of my career, my practice has focused on the field of intellectual property, and particularly, patent litigation.

3. I am a member in good standing of the Massachusetts Bar, the New York State Bar, and the State Bar of California, and am admitted to practice before the U.S. Supreme Court, the U.S. Courts of Appeals for the First Circuit, Ninth Circuit, and the Federal Circuit, the U.S. District Courts for the District of Massachusetts, the Northern District of California, the Central District of California, the Eastern District of California, and the Southern District of California.

4. My Massachusetts Bar membership number is 565595. My New York State Bar membership number is 2637221. My State Bar of California membership number is 244180.

5. Over the course of my career, I have been counsel in dozens of patent litigations. Several of these cases have concerned Patent Office rules and

regulations. For example, I litigated a number of cases concerning the duty of candor to the Patent Office embodied in 37 C.F.R. § 1.56.

6. I have never been suspended, disbarred, sanctioned, or cited for contempt by any court or administrative body.

7. I have never had a court or administrative body deny my application for admission to practice.

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

9. I have read and will comply with Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials, as set forth in Part 42 of Title 37 of the C.F.R.

10. I agree to be subject to the United States Patent and Trademark Office 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).

11. In the past three years, I have appeared *pro hac vice* before the United States Patent and Trademark Office in the following proceedings: *Hanwha Solutions Corporation v. REC Solar Pte. Ltd.*, Case No. IPR2021-00988; and *Hanwha Solutions Corporation v. REC Solar Pte. Ltd.*, Case No. IPR2021-00989.

12. I am familiar with the subject matter at issue in this proceeding. I have reviewed U.S. Patent No. 11,251,315 ("'315 patent"), which is being challenged in this proceeding, as well as its file history, the Petition, the Institution Decision, and the other filings and exhibits in this proceeding. I have also reviewed and am familiar with the relevant prior art.

13. Beginning in 2024 and continuing until the present, I have represented Hanwha Solutions Corporation and Hanwha Energy Corporation in *Maxeon Solar Pte. Ltd. v. Hanwha Solutions Corporation and Hanwha Energy Corporation*, No. 2:24-cv-00262 (E.D. Tex.), which is a related matter to this proceeding. The validity of the '315 patent is a contested issue in this related matter.

14. I 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 States Code.

Respectfully Submitted,

Dated: April 22, 2025

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