

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CMS CEP COR LTD., and CMS CEP COR AMERICAS LLC,
Petitioner,

v.

SANDVIK INTELLECTUAL PROPERTY AB,
Owner.

Patent No. 9,827,568

Inter Partes Review No. IPR2024-01380

THIRD DECLARATION OF HARRI KYTÖMAA, PH.D.

I, Harri Kytömaa, Ph.D., make this declaration in connection with the proceeding identified above.

I. INTRODUCTION

1. I have been retained by counsel for Patent Owner Sandvik Intellectual Property AB (“Sandvik”) as a technical expert in connection with the proceeding identified above. I submit this declaration in support of Patent Owner’s Reply to Petitioner’s Opposition to Patent Owner’s Revised Non-Contingent Motion to Amend U.S. Patent No. 9,827,568 (“the '568 patent”).

2. Exponent is being paid at an hourly rate for my work on this matter. I have no personal or financial stake or interest in the outcome of the present proceeding.

II. QUALIFICATIONS

3. In my initial declaration and accompanying appendix (“Kytömaa I”), I summarized my educational background, experience, career history, publications, and other relevant qualifications. (*See* Ex. 2001, ¶¶ 3–14.) Unless otherwise noted below, I will not repeat them here. My updated testimony record for the last four years is attached as Appendix A.

I. MATERIALS CONSIDERED

4. In preparing this declaration, I have reviewed, among other things, the following materials:

- The '568 patent (Ex. 1001);
- The Petition for *Inter Partes* Review of the '568 patent to which my declaration related (“Petition”) and Exhibits thereto, with particular attention to the Exhibits set forth below;
- The prosecution history of the '568 patent (Ex. 1001-1, “'568 prosecution history”);
- The Expert Declaration by David G. Smith that accompanies the Petition (Ex. 1002, “Smith”);
- U.S. Patent No. 4,410,143 issued to Polinski (Ex. 1015, “Polinski”);
- U.S. Patent No. 6,270,026 issued to Piepho (Ex. 1016, “Piepho”);
- U.S. Patent No. 4,060,205 issued to Pollak (Ex. 1017, “Pollak”);
- U.S. Patent No. 2,764,437 issued to A.G. Bratt (Ex. 1034, “Bratt”);
- The Decision on Institution (“Institution Decision”) dated March 18, 2025.
- Deposition Transcript of David Smith, (Ex. 2006);
- Declaration of David G. Smith in Support of Petition for *Inter Partes* Review of U.S. Patent 11,014,090 (Ex. 2007)
- Merriam-Webster’s Collegiate Dictionary, 11th ed. (2012) (definition of “end”) (Ex. 2008);
- Sandvik CH440 Webpage at

<https://www.rockprocessing.sandvik/en/products/stationary-crushers/stationary-cone-crushers/ch440-cone-crusher/> (accessed on June 23, 2025) (Ex. 2009);

- CMS Ceper Webpage at <https://www.cmscepcor.com/us/crusher-parts/brands/sandvik-hydrocone-superior/ch-series/ch440/> (accessed on June 23, 2025) (Ex. 2010);
- CMS Ceper Webpage at <https://www.cmscepcor.com/us/crusher-parts/brands/sandvik-hydrocone-superior/> (accessed on June 23, 2025)(Ex. 2011);
- Richard G. Budynas & J. Keith Nisbett, *Shigley's Mechanical Engineering Design*, Ninth Edition (2011) (Ex. 2012);
- John H. Bickford, *An Introduction to the Design and Behavior of Bolted Joints*, 3rd ed. (1995) (Ex. 2013);
- Robert C. Juvinall & Kurt M. Marshek, *Fundamentals of Machine Component Design*, 3rd Edition (2000) (Ex. 2014);
- Preliminary Guidance on Patent Owner's Motion to Amend (Paper 20), dated October 16, 2025;
- Second Declaration of David Smith (Ex. 1043);
- Second Deposition Transcript of David Smith, Dated October 24, 2025, (Ex. 2018);

- Richard G. Budynas & J. Keith Nisbett, *Shigley's Mechanical Engineering Design*, Ninth Edition (Ex. 1047);
- Sandvik CH440 Crusher Maintenance Instructions (Ex. 2019);
- My previous declarations (Kytömaa I (Ex. 2001) and Kytömaa II (Ex. 2020));
- Third Deposition Transcript of David Smith dated December 3, 2025 (Ex. 2021);
- Innovative Combustion Technologies, Inc. "Optimum Operation and Maintenance of EL Pulverizers" (Ex. 2023); and
- <https://www.rockprocessing.sandvik/en/products/stationary-crushers/stationary-cone-crushers/ch440-cone-crusher/> (Last accessed Dec. 15, 2025) (Ex. 2024).

II. DEFINITIONS AND STANDARDS

5. Although I am not a lawyer and will not provide legal opinions, I have been advised to apply certain legal standards, such as relating to claim construction and obviousness, in forming my opinions. I set forth my understanding of those legal standards in Kytömaa I. (See Ex. 2001, ¶¶ 16–19.)

6. I have also been informed and understand that the subject matter of a patent claim is obvious if the differences between the subject matter of the claim and the prior art are such that the subject matter as a whole would have been

obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains as I discussed in Kytömaa I, Ex. 2001, ¶¶ 18-19.

III. LEVEL OF A PERSON OF ORDINARY SKILL IN THE ART

7. Mr. Smith states that “a person having ordinary skill in the art would be a person who has a bachelor’s degree in mechanical engineering or a related field and at least two years of experience with industrial equipment design and development. A POSITA may also have a combination of more formal education and less work experience or a combination of less/different formal education and more work experience.” (Ex. 1002, ¶ 30.)

8. For the purposes of this Declaration, I do not object to Mr. Smith’s position on the level of skill in the art. I meet and exceed the defined level of skill of a person of ordinary skill in the art for the reasons set forth in my initial declaration (Kytömaa I). (See Ex. 2001, ¶¶ 30–33.)

IV. THE SUBSTITUTE CLAIMS ARE SUPPORTED BY THE ORIGINAL DISCLOSURES AND DO NOT INTRODUCE NEW MATTER

9. In my previous declaration and accompanying appendix (“Kytömaa II”), I provided my analysis in terms of written description support and patentability for a set of substitute claims. Unless otherwise noted below, I will not repeat that analysis here.

V. THE NEW GROUNDS RELY ON NON-ANALOGOUS ART

10. I understand that a prerequisite in an obviousness determination under Section 103 is determining the “prior art.” I further understand that the prior art must pertain to the claimed invention, which is sometimes referred to the art being “analogous” or not. I further understand that two tests have been developed for defining whether a prior art reference is analogous to the claimed invention: (1) whether the art is from the same field of endeavor, regardless of the problem addressed, and (2) if the reference is not within the field of the inventor’s endeavor, whether the reference still is reasonably pertinent to the particular problem with which the inventor is involved.

11. I understand that in determining whether a reference is “from the same field of endeavor” courts have considered explanations of the invention’s subject matter in the patent, including the embodiments, function, and structure of the claimed invention.

12. I understand that in determining whether a reference is “reasonably pertinent to the particular problem,” one looks at the problems of the claimed invention and the prior art reference at issue.

13. All of Petitioner’s new grounds combine Torrence (Ex. 1011) with Piepho (Ex. 1016). Both the ’568 patent and Torrence relate to gyratory crushers, but Piepho is directed to a coal pulverizer. In my opinion, a coal pulverizer differs

so much in function and structure from a gyratory crusher that no POSITA would consider Piepho as pertinent art. Thus, for the reasons I discuss below, a POSITA would not consider Piepho to be analogous art to the '568 Patent. It does not qualify as analogous art under either test.

A. Field Of Endeavor

14. The '568 patent and Piepho are directed to different subject matter. The '568 patent's field is a gyratory crusher. It describes a wear sleeve for a gyratory crusher main shaft that enables convenient attachment and detachment at the shaft. (Ex. 1001, 1:66–2:2.) The '568 patent is entitled a “Gyratory Crusher Main Shaft Sleeve,” and its “Field of Invention” is directed to a “gyratory crusher main shaft sleeve.” (Ex. 1001, 1:1–15.) The “Background Art” section discusses only gyratory crushers and their protective sleeves. (Ex. 1001, 1:38–50.) Every reference cited there is a gyratory crusher patent. For its invention description, the '568 patent describes and illustrates a gyratory crusher with a tapered sleeve. (See, e.g., Ex. 1001, 2:19–36, FIG. 1). During prosecution, the Examiner only cited gyratory crusher art. (Ex. 1001-1, References Cited (April 19, 2017).)

15. In contrast, Piepho is not directed to a gyratory crusher at all. Piepho instead relates “to an improved main shaft for a coal pulverizer, and more particularly to an improved main shaft for use in B&W Type E and EL pulverizers.” (Ex. 1016, 1:5–8; see also Ex. 2006, 57:17–20.) Moreover, its

purported invention is not a sleeve, but a coating layer for a coal pulverizer shaft: “the present invention comprises an intervening layer of a material such as a thermal sprayed ceramic coating . . . for reducing local stresses in the shaft within the joint by reducing the relative movement.” (Ex. 1016, 2:16–25; see also 2:55–58, 3:24–27.) Mr. Smith also understood Piepho’s purported invention to be “a coating that can be placed on the shaft to reduce or eliminate fretting.” (Ex. 2006, 57:11–16.) As such, Piepho touts that its coating invention does not require changing the geometries of the shaft and its yoke in contrast to the ’568 patent’s focus on a wear sleeve’s geometry. (Ex. 1016, 4:24–26.)

16. The ’568 patent discloses a particular geometric design of gyratory crusher components, specifically providing a tapered main shaft sleeve and associated tapered main shaft, to facilitate attachment and detachment of the sleeve to the shaft (Ex. 1001, 2:3–14). Piepho, meanwhile, describes a ceramic coating applied to a region of a coal pulverizer main shaft. The shaft in Piepho can be tapered or cylindrical. The purported invention in Piepho does not relate to the design of the tapered or cylindrical portion of the shaft. In fact, one of the advantages described for the purported invention of Piepho is that “the existing shaft and yoke geometries need not be changed.” (Ex. 1016, 4:25–26). Moreover, Piepho does not address the frequency of replacement of the yoke bushing nor does it address the ease of replacement of the yoke bushing. A POSITA, therefore,

would not look to Piepho when considering the geometric design of a shaft sleeve and associated shaft for a gyratory crusher, since Piepho does not address the geometric design of such components.

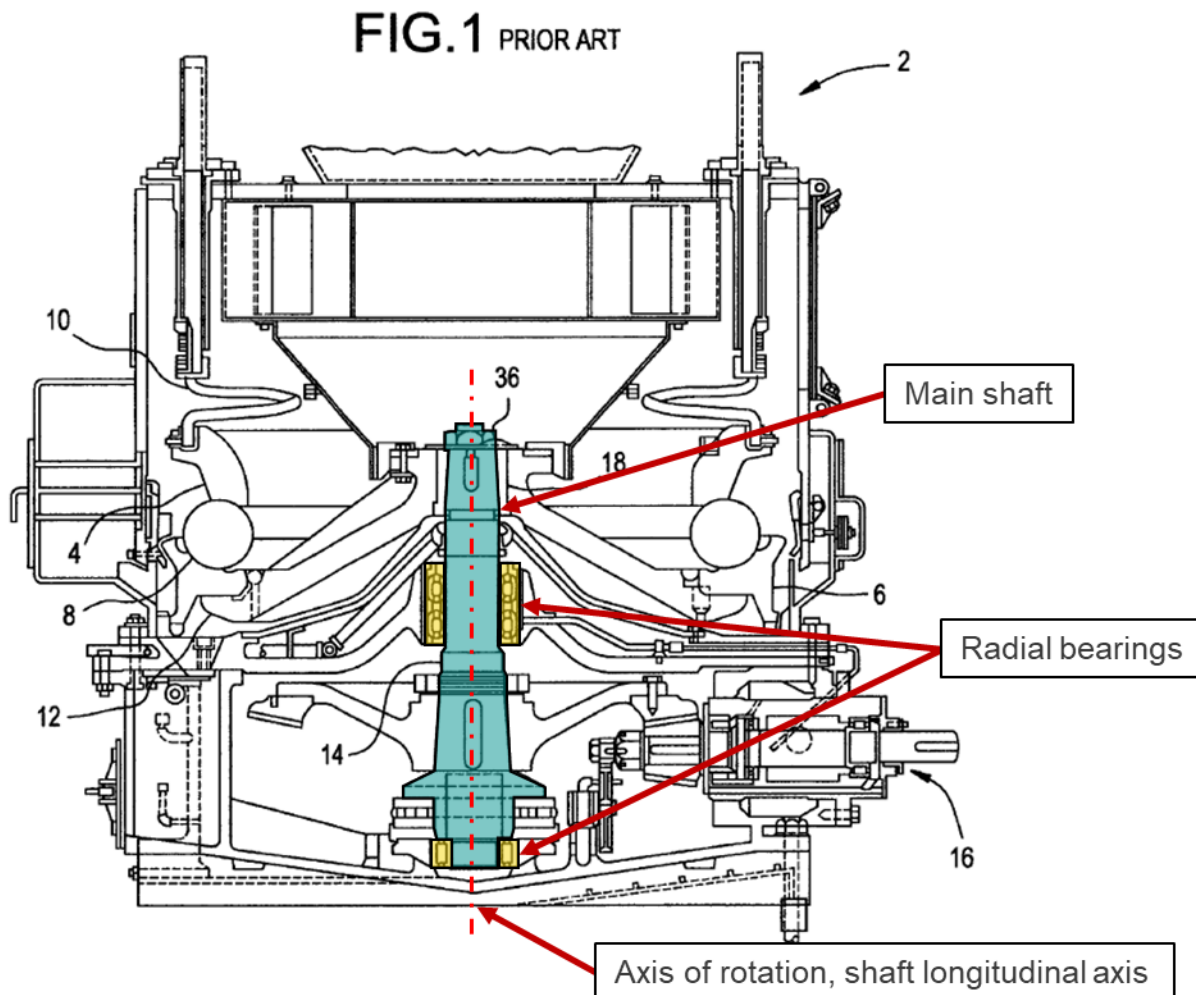
17. A coal pulverizer and a gyratory crusher are very different machines. The embodiments, functions, and structure of the coal pulverizer described in Piepho are not analogous to the embodiments, functions and structure of the gyratory crusher as described in the '568 patent. For example, the size of the coal supplied to a B&W Type EL coal pulverizer, the type described in Piepho, should ideally be 0.75 to 1 inch and the output pulverized coal particle sizes should be 0.003-0.012 inches. (*See Ex. 2024.*)

18. Ex. 2023 is a technical specification published by Innovative Combustion Technologies, Inc., which describes features of the Babcock & Wilcox Company coal pulverizer of a type EL. I understand that Piepho is assigned to Babcock & Wilcox Company, and Piepho also references a type EL coal pulverizer. I note that Ex. 2023 has what appears to be a date at the bottom left of 2/10, that is, February 2010. In my experience, such technical specifications are usually dated in this manner, and I have no reason to believe that this was not published in February 2010.

19. Turning back to the size of the pulverized coal, it is so small that it can be entrained in air flow and removed out the top of the coal pulverizer. A

Sandvik CH440 cone crusher accepts rock up to 9.8 inches wide and has an adjustable output size of 0.3 to 1.8 inches. (*See Ex. 2024.*) It must handle much larger input material with a wide range of sizes. The coal pulverizer requires a relatively small range of input sizes and coal itself is relatively soft compared to rocks such as granite. Below, I set forth additional significant distinctions between a coal pulverizer, as described in Piepho, and a gyratory crusher.

20. **First, operation.** A major distinction between the coal pulverizer described in Piepho and a gyratory crusher is the design and behavior of the main shaft in each machine. The main shaft of the coal pulverizer is designed to rotate concentrically about the longitudinal axis of the shaft, and the longitudinal axis of the shaft is therefore nominally stationary and always aligned with the longitudinal axis of the coal pulverizer itself. (*See Ex. 1016, 1:38–44; FIG. 1.*) The concentrically rotating shaft of a coal pulverizer allows the use of conventional anti-friction bearings (i.e., roller bearings or ball bearings) to allow the shaft to rotate while constraining the shaft in all other directions, as illustrated in annotated FIG. 1 of Piepho, below.



Ex. 1016, FIG. 1 (Annotated)

21. The shaft of a gyratory crusher, on the other hand, is designed to rotate eccentrically, that is, gyrate, with the longitudinal axis of the main shaft angled relative to the longitudinal axis of the rock crusher itself. (Ex. 1001, 3:59–63.) The axis of main shaft sweeps a conical pattern as the crusher operates, shifting the location of the main shaft in a pendulum motion relative to the outer crushing shell. The eccentric rotation of the gyratory crusher shaft means that the shaft axis must move and requires that the upper bearing be capable of allowing

tilting of the main shaft axis. The lower end of the gyratory crusher shaft is mounted in an eccentric bushing to control the amount of eccentric motion, whereas the coal pulverizer shaft uses conventional anti-friction bearings for radial support at upper and lower bearing locations. The main shaft of the gyratory rock crusher is free to rotate about its longitudinal axis as a consequence of interactions with the material being processed. This gyrating motion is illustrated in annotated FIG. 1 of the '568 patent, below.

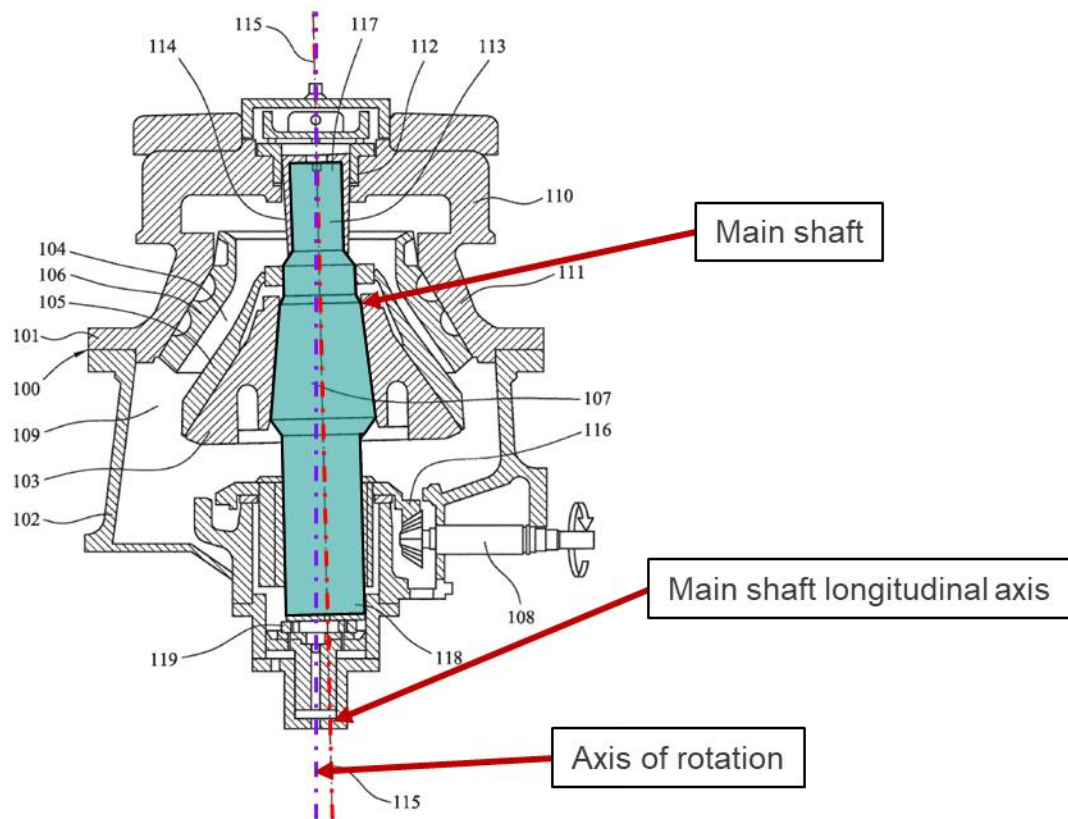
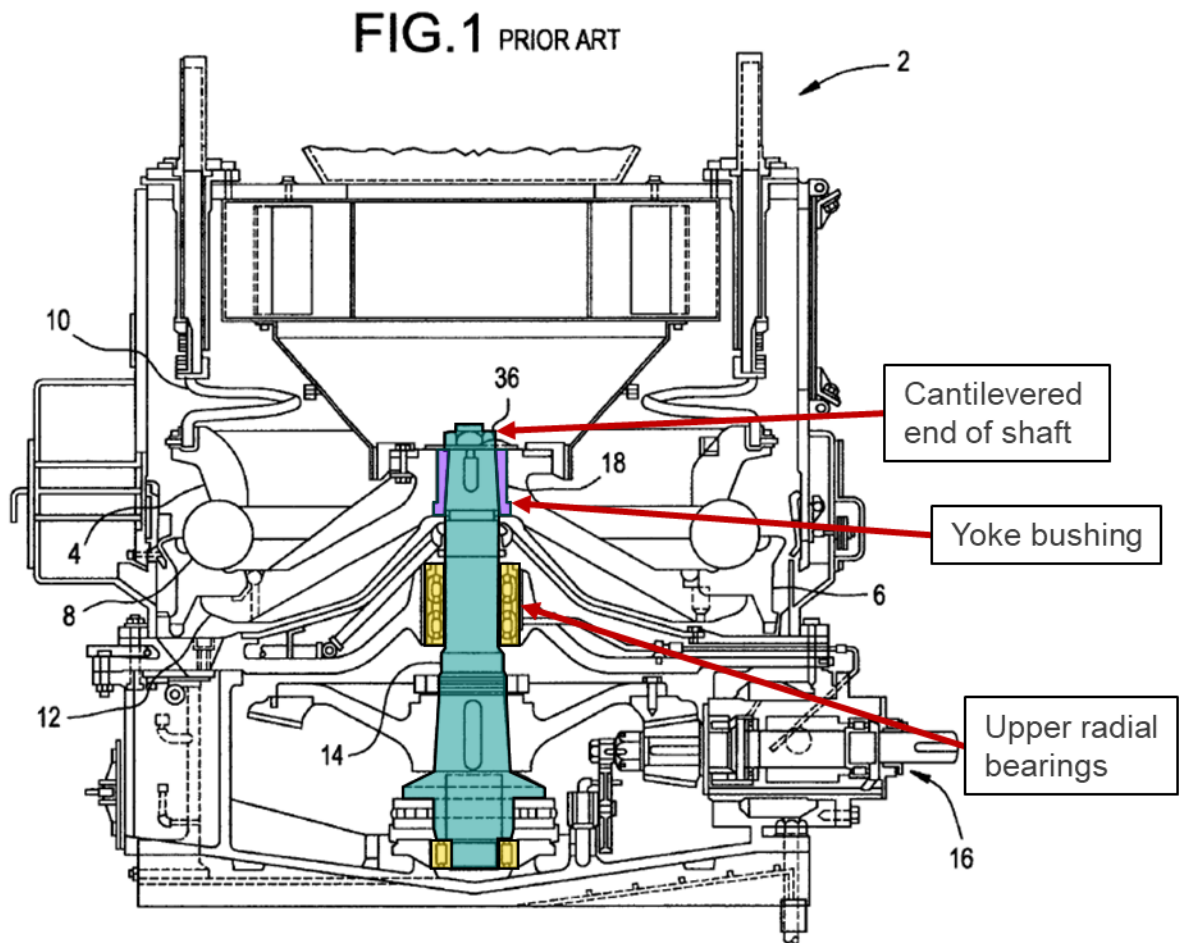


FIG. 1

Ex. 1001, FIG. 1 (Annotated)

22. The main shaft of the coal pulverizer in Piepho is also supported with a different configuration than the main shaft of the gyratory crusher described in the '568 patent. The main shaft 14 of the coal pulverizer in Piepho has an upper bearing located roughly in the middle of shaft with the upper end of the shaft cantilevered above the upper bearing. (Ex. 1016, FIG. 1.) The yoke 12 and yoke bushing 18 are attached to the cantilevered end of the shaft 14 as illustrated below.



Ex. 1016, FIG. 1 (Annotated)

23. The main shaft of the gyratory crusher of the '568 patent is not cantilevered. Rather, it is supported by bearings near each end of the shaft and is therefore simply supported, (Ex. 1001, 3:67–4:3), as illustrated below.

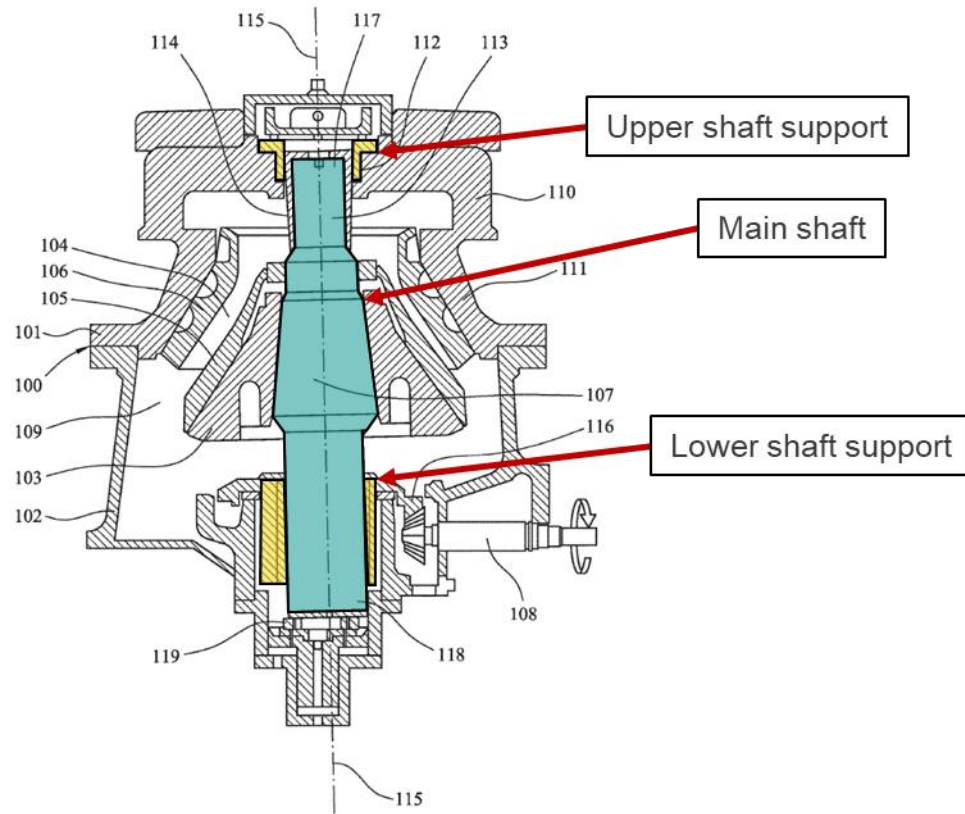


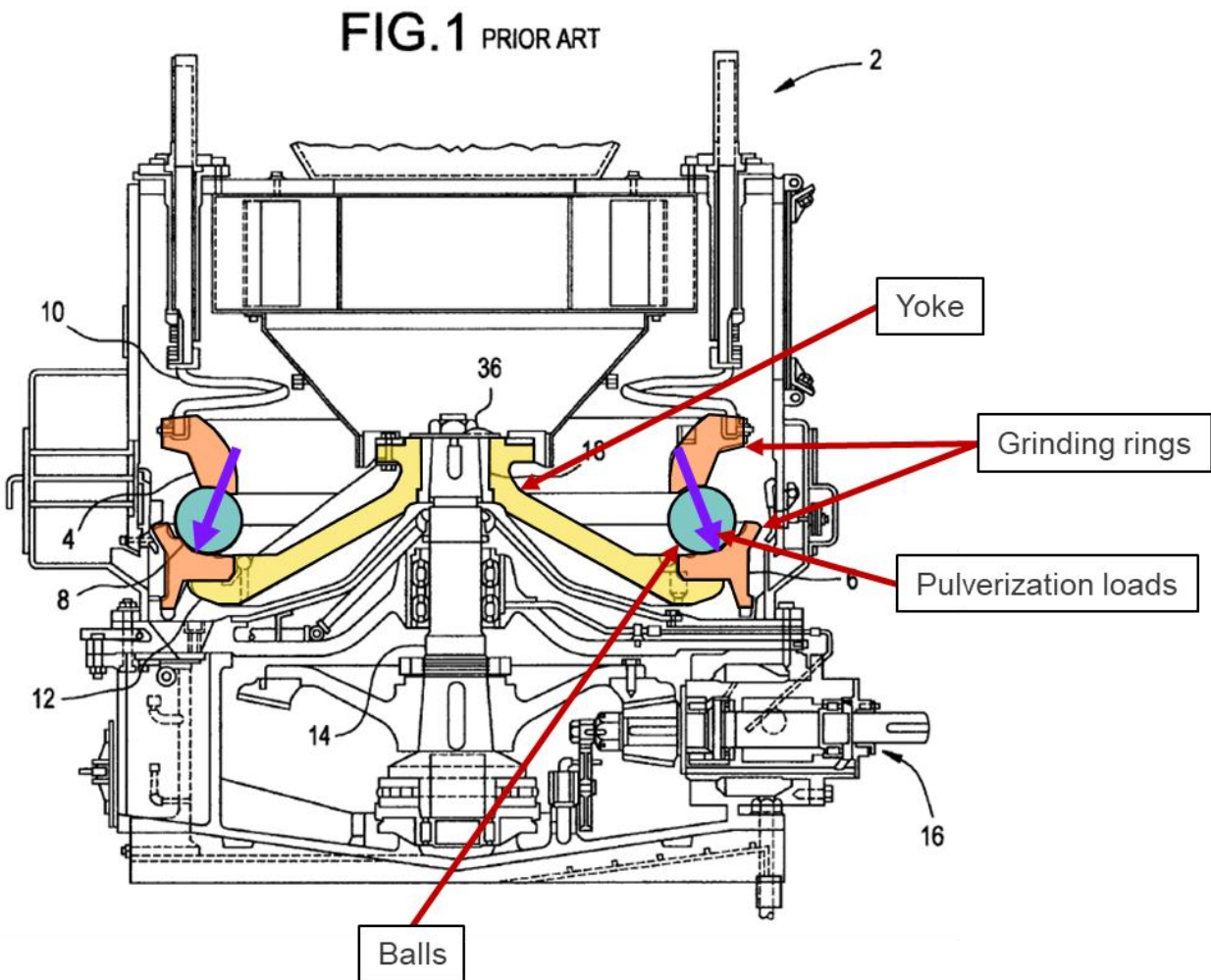
FIG. 1

Ex. 1001, FIG. 1 (Annotated)

24. The difference in shaft support configuration results in a significant difference in dynamic behavior, loading, and stress for the shaft and attached components. The main shaft sleeve for the gyratory crusher of the '568 patent is aligned with the upper shaft support point (bearing assembly 112), so it predominately supports radial loads and is intended to minimize the transmission

of torsional loads, whereas in Piepho the upper end region of the shaft primarily transmits torsional loads to drive the yoke while accepting bending, axial, and radial loads. (Ex. 1001, FIG. 1.)

25. **Second, loading.** In the coal pulverizer described in Piepho, coal is pulverized by balls that roll in grinding rings which extend around the entire circumference of the yoke. The grinding loads are therefore applied around the entire circumference of the yoke as illustrated below.



Ex. 1018, FIG. 1 (Annotated)

26. In contrast, in the gyratory crusher described in the '568 patent, crushing force is only applied on one side of the shaft when the gyratory motion reduces the size of the crushing zone between the opposing crushing shells. Unlike the coal pulverizer, crushing forces are always concentrated on one side of the shaft and not distributed around the circumference, as illustrated below.

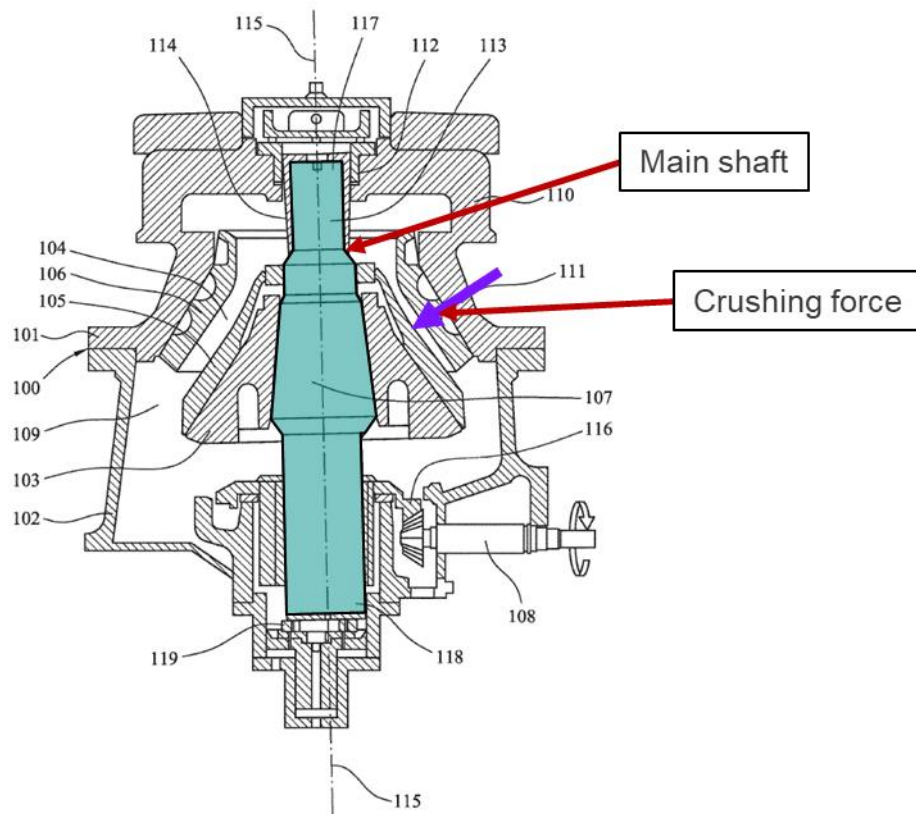


FIG. 1

Ex. 1001, FIG. 1 (Annotated)

27. **Third, wear environment.** The yoke bushing described in Piepho is not directly exposed to the coal being processed and the resulting abrasive environment. In contrast, the main shaft sleeve described in the '568 Patent is

directly exposed to the materials being processed and the resulting abrasive environment.

28. **Fourth, rotation.** The purpose of the yoke bushing in Piepho is to secure the yoke to the main shaft. (Ex. 1016, 3:6–7.) The yoke bushing must be able to transmit torque between the shaft and the yoke. Consequently, there is not intended to be any relative motion between the yoke and the yoke bushing or the yoke bushing and the shaft. This is in contrast with the main shaft sleeve of a gyratory crusher described in the ‘568 patent, which is intended to slide within the bearing assembly as the main shaft moves. (*See* Ex. 1001, 4:4–12.)

29. **Fifth, assembly and disassembly.** The yoke bushing is not a wear component in the coal pulverizer and, as such, a POSITA would recognize that the yoke bushing would not be expected to require regular replacement. The main wear components in the coal pulverizer in Peipho are in the grinding zone including the balls and the grinding rings, not the yoke bushing. (*See* Ex. 1016, 1:62–64.) The main shaft sleeve of the ‘568 patent, in contrast, is a wear component in a gyratory crusher, and Sandvik recommends that the main shaft sleeve for its CH440 rock crusher be replaced annually or after 2000 hours of operation. (*See* Ex. 2024.)

30. The main shaft sleeve of the ‘568 patent performs a very different function than the yoke bushing in Piepho and the difference in function is directly

related to the invention of the '568 patent. The main shaft sleeve is a wear component exposed to relative motion and abrasive materials on its exterior surface whereas the yoke bushing in Piepho is not exposed to abrasive materials or relative motion on any surface. The main shaft sleeve therefore requires more frequent replacement.

31. Each of these differences on its own would be sufficient to functionally and structurally distinguish a gyratory crusher from a coal pulverizer, but collectively they underscore that the apparatuses are not only different but also operate in entirely different ways. Indeed, treating the '568 patent and Piepho as being in the same field because they merely reside within the broad universe of comminution equipment improperly elevates a high-level industrial label over the actual field of endeavor defined by the '568 patent. In my opinion, no POSITA would consider a gyratory crusher of the '568 patent to be in the same field as Piepho's coal pulverizer.

B. Reasonably Pertinent To The Problem

32. A POSITA would not view Piepho as reasonably pertinent to the problem solved by the '568 patent. The '568 patent and Piepho are directed to different problems. The '568 patent concerns the problem of assembling and disassembling a wear sleeve from a main shaft of a gyratory crusher. (Ex. 1001, 1:66–2:2 *see also* Ex. 2006, 21:9–22:1 (Mr. Smith stating that the problem

addressed by the ‘568 Patent are “the best ways for seating or assembling of the sleeve over the conical section of the main shaft.”.)

33. Piepho, on the other hand, addresses the problem of a coal pulverizer shaft failing due to fretting-induced bending fatigue at the joint between the yoke bushing and the main shaft. (Ex. 1016, 1:45–2:14.) The wear components in Piepho are its balls and rings—not a sleeve (which Piepho does not disclose) or even the yoke bushing. There is also no discussion in Piepho on the yoke bushing being disassembled from the shaft or the yoke. Indeed, the reason that Piepho is concerned with *fretting-induced* fatigue is because the yoke bushing remains assembled with the main shaft, such that fretting wear would not be readily identifiable during machine maintenance.

34. Petitioner and Mr. Smith emphasize that Piepho discloses a tapered yoke bushing and main shaft. (Paper 29, 16; Ex. 1049, p. 59.) But Piepho also discloses that the shaft/yoke bushing interface may be cylindrical as well. (Ex. 1016, 3:33–35; Ex. 1002, ¶ 80 (Mr. Smith testifying on the “interchangeability” of cylindrical and tapered joints in Piepho).) That is, Piepho does not consider a cylindrical fit to be a problem, unlike the ‘568 patent. Accordingly, there is no discussion in Piepho on the tapered fit with respect to disassembly, because Piepho’s problem is with fretting during operation as opposed to disassembling the yoke bushing.

35. Petitioner and Mr. Smith also emphasize that a tapered shaft aids in sleeve-shaft alignment. But fretting-induced fatigue—not yoke bushing-shaft alignment—is the problem on which Piepho focuses. To be sure, Piepho describes “accurate alignment” but that is with respect to the yoke—not the yoke bushing. (Ex. 1016, 3:27–29 (“For accurate alignment and for reliable support of the yoke, this joint (21) must be capable of accepting radial, axial, and bending or overturning loads.”) (emphasis added).) The yoke must be aligned accurately to drive the pulverizer’s balls—something that Mr. Smith with his limited understanding of Piepho’s coal pulverizer missed. (Ex. 1016, 1:25–26.) The yoke also has a much greater inertia than the yoke bushing, so the yoke is more susceptible to dynamic imbalance, and the resulting undesired vibration, than the yoke bushing. A cylindrical interference fit is at least equally capable of accurate alignment and load capacity as compared to the tapered fit. A tapered fit, in fact, has less load capacity for upward axial loads than a cylindrical interference fit. Thus, under either test, Piepho is not analogous art.

VI. THERE IS NO MOTIVATION TO COMBINE

36. I understand that when a reference is directed to a different purpose, the inventor would accordingly have had less motivation or occasion to consider it in an obviousness analysis. I also understand that the combination of elements

from non-analogous sources, in a manner that reconstructs the invention only with the benefit of hindsight, is insufficient to render an invention obvious.

37. Mr. Smith plucks isolated snippets from Piepho and applies them to Torrence. Mr. Smith testified that he did not consider Piepho beyond its disclosure of a tapered shaft. (Ex. 2021, 65:5–16.) His approach suggests to me that he improperly used the tapered shaft claim language of the '568 patent as a blueprint to select Piepho—a non-analogous reference—through hindsight. Only by ignoring Piepho's field and focus—in other words, everything other than Piepho's disclosure of a tapered shaft—could Petitioner and Mr. Smith conclude obviousness. When Piepho is considered for all that it teaches, there would be no motivation to combine Piepho with Torrence.

VII. UNREBUTTED OBJECTIVE EVIDENCE SUPPORTS THE PATENTABILITY OF THE SUBSTITUTE CLAIMS

38. In my previous declaration and accompanying appendix ("Kytömaa II"), I provided my analysis in terms of objective evidence of nonobviousness. Unless otherwise noted below, I will not repeat that analysis here. I understand that, in addition to copying, the length of time between the publication dates of the prior art and the claimed invention can also qualify as an objective indicator of nonobviousness. Petitioner's choice of Torrence thus further supports the patentability of the substitute claims. Torrence issued in 1974—about 40 years before the filing of the '568 patent in 2012. Thus, for at least 40 years or so, the

field faced the problem of replacing wear sleeves in gyratory crushers until the '568 patent's solution. My understanding is that this supports a finding of non-obviousness. Also, during prosecution, the Examiner cited Torrence and applied Coxhill '800 (Ex. 1039), which has a similar disclosure to Torrence on the sleeve as Mr. Smith noted (*see* Ex. 2021, 60:4–10). Yet she allowed the (broader) issued claims over them. This indicates to me that the Examiner viewed Torrence as deficient. Petitioner is simply recycling considered art and arguments.

* * *

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 that these statements were 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: December 16, 2025



Harri Kytömaa, Ph.D.

Expert Testimony of
Harri K. Kytömaa, Ph.D.

Four-Year Testimony History

Name of Case	Type	Docket	Year
CMS Cepcor Ltd., and CMS Cepcor Americas LLC v , Sandvik Intellectual Property AB	Deposition	Inter Partes Review No. IPR2024-01380 United States Patent And Trademark Office	2025
Claimant v Respondent Gas Turbine Combined Cycle Power Plant (Malaysia)	International Arbitration	The Singapore International Arbitration Centre SIAC No. 278 of 2018 Tribunal: Mr. Chan Sek Keong SC, Datuk Veron Ong Lam Kiat, and Mr. V K Rajah SC	2025
Impulse Downhole Solutions, Ltd. and Impulse Downhole Tools, USA Ltd. v Downhole Well Solutions, LLC	Deposition (3)	United States District Court for the Southern District of Texas, Houston Division 4:23-cv-02954	2025
GE Renewable Energy Canada, Inc. v Canmec Industrial Inc.	Trial	Federal Court of Canada Docket No. T-1471-21	2024
City of East St. Louis v Monsanto Company et al.	Deposition	United States District Court for the Southern District of Illinois 3:21-CV-232-DWD	2024
Sacramento Downtown Arena LLC, Sacramento Kings Limited Partnership, SAC Mubi Hotel, LLC and SGD Retail LLC v Factory Mutual Insurance Company	Deposition	United States District Court Eastern District of California, Sacramento Division 2:21-cv-00441-KJM-DB	2024
Impulse Downhole Solutions Ltd. and Impulse Downhole Tools USA, Ltd. v Downhole Well Solutions, LLC	Deposition	United States District Court Southern District of Texas 4:23-cv-02954	2024
REDACTED, Claimant, v REDACTED, Respondent: In the Matter of an Arbitration under the 2021 Rules of the International Court of Arbitration of the International Chamber of Commerce	International Arbitration	ICC Case No.: 27020/PDP New York, New York, April 2023 Arbitrators: Roger Peters, William K. “Bill” Andrews (President), Matthew Sullivan	2024
Impulse Downhole Solutions Ltd., et al. v Downhole Well Solutions, LLC	Motion Hearing	United States District Court Southern District of Texas 4:23-cv-02954	2024
Claimant v Respondent	International Arbitration	International Chamber of Commerce (London, UK) Case No. 26684/XZG Tribunal Members Sir Robert Akenhead, John Bishop, Nicholas Fletcher KC	2024

Expert Testimony of Harri K. Kytömaa, Ph.D. (Four-Year)

Name of Case	Type	Docket	Year
Angela B. Heit et al. v Monsanto Company et al.	Trial	Superior Court of the State of Washington In and For King County No. 18-2-55641-4-SEA	2023
Lilianna Silvestry et al. v Falcon Safety Products et al.	Deposition	Superior Court of New Jersey Law Division: Essex County Docket No.: L-003103-20	2023
Kristina Rene Frost and Gary Allen Mays et al. v Amsafe Commercial Products, Inc. et al.	Deposition	United States District Court for the Western District of North Carolina, Asheville Division Case No.: 1:21-cv-156-	2023
Tony E. Rardon et al. v Falcon Safety Products, Inc. et al.	Deposition	United States District Court Western District of Missouri Case No. 5:20-cv-06165-BP	2023
InMusic Brands, Inc. v Roland Corporation	Deposition	United States District Court for the District of Rhode Island 1:17-cv-00010-JJM-LDA	2023
Kerr Machine Co. v SPM Oil & Gas Inc. and S.P.M. Flow Control, Inc.	Deposition	United States District Court for the Northern District of Texas Case No.: 4:21-cv-1191	2022
Thomas P. Gorczynski et al. v Electrolux Home Products Inc, et al.	Hearing	United States District Court, District of New Jersey 1:18-CV-1066-RMB-KMW	2022
Roland Corporation v InMusic Brands, Inc.	Trial	United States District Court Southern District of Florida Case No.: 1:17-cv-22405	2022
GD Energy Products, LLC v Premium Oilfield Technologies, LLC	Deposition	United States District Court Western District of Texas, Waco Division Case No. 6:21-cv-00864-ADA	2022
Michael Evard, Sue Wiechmann, Michael Orrel, Sonia Martin-Ahmed, and Ronald E. Bryan v Monsanto Company	Deposition	Circuit Court of Cook County, IL County Department, Law Division Case No.: 2019-L-011574	2022
David Back et al. v Bayer Cropsience LP et al.	Deposition	Circuit Court of St. Louis County State of Missouri Cause No.: 18SL-CC03530	2022
Dana J. Allison and Tyler J. Allison et al. v Monsanto Company et al.	Deposition	Superior Court of the State of Washington In and For King County 18-2-26074-4-SEA	2022
Holly A. Mills Hiley et al. v Monsanto Company et al.	Deposition	Superior Court of the State of Washington In and For King County 21-2-14303-9-SEA	2022
City of Seattle v Monsanto Company et al.	Deposition	United States District Court Western District of Washington at Seattle 2:16-cv-00107-RAJ	2022

Expert Testimony of Harri K. Kytömaa, Ph.D. (Four-Year)

Name of Case	Type	Docket	Year
Gardner Denver Petroleum Pumps, LLC v Premium Oilfield Technologies LLC	Deposition	United States District Court for the Western District of Texas 6:21-CV-864	2022
State Farm Fire and Casualty Company as subrogee of Robert and Kristine Paterson v Omega Flex, Inc.	Deposition	United States District Court for the District of Connecticut 3:20-cv-00648-VAB	2022
Neal Frank v Monsanto Company, Pharmacia Corporation, Solutia Inc., Pfizer, Inc., Big Jo True Value Hardware, Inc. and JANT Group III, Inc.	Deposition	State of New Mexico, County of Santa Fe, First Judicial District Court D-101-CV-2021-00481	2022
Claimant v Respondent, Arbitration Institute of Stockholm Chamber of Commerce (Virtual)	International Arbitration	SCC Arbitration Heard before the President of the Tribunal Mr. Eric Schwartz, Adrian Hughes, QC, and Mauricio Almeida Prado	2022
Sunoco Partners Marketing & Terminals L.P. v Powder Springs Logistics LLC and Magellan Midstream Partners, L.P.	Trial	United States District Court for the District of Delaware Case No. 17-1390 LPS	2021
Comisión Federal de Electricidad (Claimant) and AES Merida III, S. DE R. L. DE C. V. (Respondent)	International Arbitration	ICC Case 25165/JPA Tribunal Miguel Virgós (Chair), Alejandro Ramón, Castellort Espinola, Francisco González de Cossio	2021
In Re: 3M Combat Earplug Products Liability Litigation – Joseph Frank Palanki Trial	Trial	United States District Court Northern District of Florida Pensacola Division Case No. 3:19-md-2885	2021
Ashen S. Diehl v 3M Company	Deposition	State of Minnesota County of St. Louis District Court Sixth Judicial District 69-DU-CV-18-2662	2021
Roland Corporation v InMusic Brands, Inc.	Deposition	United States District Court Southern District of Florida 1:17-cv-22405-FAM	2021
Impulse Downhole Solutions Ltd. v Rubicon Oilfield International Holdings LLC	Deposition	United States District Court for the Western District of Texas, Waco Division 6:19-cv-378-ADA	2021
Kerry Erickson et al. v Monsanto Company, Solutia, Inc., Pharmacia LLC, et al.	Trial	Superior Court of the State of Washington in and for the County of King 18-2-11915-4 SEA	2021

Compensation

Exponent, Inc. is compensated at \$875 per hour
for Dr. Kytömaa's consulting services in 2025.

No part of Exponent's compensation is contingent on the outcome of the matter.
Updated December 2025