UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAP AMERICA, INC.,
Petitioner,

v.

CYANDIA, INC.,
Patent Owner.

Case IPR2024-01495
U.S. Patent No. 8,578,285

DECLARATION OF JAMES HANNAH IN SUPPORT OF PATENT OWNER'S PRELIMINARY RESPONSE

I, James Hannah, declare as follows:

1. I am partner at the law firm of Kramer Levin Naftalis & Frankel LLP, attorneys for Patent Owner Cyandia, Inc. ("Patent Owner"), in the above-captioned *inter partes* review proceeding involving Petitioner SAP America, Inc. and its associated entities ("Petitioner"). I provide this Declaration in support of Patent Owner's Preliminary Response based upon my personal knowledge.

2. In the co-pending litigation, *Cyandia, Inc., v. SAP America, Inc. and SAP SE*, C.A. No. 2:24-cv-00096-JRG, Patent Owner asserted infringement of Claims 1-7, 10, 11, 13, 18, 19, 21, 29, 35, and 36 of U.S. Patent No. 8,751,948, Claims 1-10, 13, 17, 18, 36-40, and 42 of U.S. Patent No. 8,578,285, and Claims 1-11, 13, 16, 18, and 31-34 of U.S. Patent No. 8,595,641.

3. Petitioner served its invalidity contentions under Eastern District of Texas Patent Local Rule 3-3 on July 10, 2024. Within the invalidity contentions, Petitioner asserts the Websphere product and the six IBM WebSphere references that are also asserted in IPR2024-01495.

4. I declare that all statements made herein of my knowledge are true, and that all statements made on information and belief are believed to be true, and 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.

/James Hannah/
James Hannah