

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RESMED CORP.,
Petitioner,

v.

CLEVELAND MEDICAL DEVICES, INC.,
Patent Owner.

Case IPR2025-00158
U.S. Patent No. 11,690,512

**DECLARATION OF TIMOTHY LAYDEN IN SUPPORT OF
UNOPPOSED MOTION FOR *PRO HAC VICE* ADMISSION**

I, Timothy Layden, being duly sworn and upon oath, hereby attest to the following:

1. I am an associate at the law firm Herbert Smith Freehills Kramer (US) LLP.

2. I am a member in good standing of the Bar of California (Bar No. 331110). I am also admitted to practice in the following courts: U.S. District Courts for the Northern of California, Northern District of Texas, and Northern District of Ohio. I am an experienced litigation attorney with over six (6) years practicing law, including litigating patent cases in district courts. I have extensive experience representing numerous clients in federal courts around the country in intellectual property disputes, involving a wide range of technologies, including e-commerce, computer software, encryption, telecommunications, network architecture, and mobile applications.

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

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

5. I have never had sanctions or contempt citations ever imposed by any court or administrative body.

6. 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 Part 42 of Title 37, Code of Federal Regulations.

7. 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).

8. There are no other proceedings before this Office for which I have applied to appear *pro hac vice* in the last three years.

9. I represent the Patent Owner and I am very familiar with U.S. Patent No. 11,690,512 ("the '512 Patent") at issue in this proceeding. In particular, I have been involved in litigation matters pertaining to the '512 Patent at the district court, including, *ResMed Corp. v. Cleveland Med. Devices, Inc.*, Case No. 1:23-cv-02221-BMB (N.D. Ohio). I have established familiarity with the subject matter of this proceeding, including the '512 Patent, its prosecution history, and have become familiar with the invalidity positions.

10. Counsel for Patent Owner has conferred with counsel for Petitioner ResMed Corp. regarding the accompanying Unopposed Motion for *Pro Hac Vice* Admission, and counsel for ResMed indicated that Petitioner will not oppose.

Declaration of Timothy Layden
IPR2025-00158 (U.S. Patent No. 11,690,512)

I hereby declare under penalty of perjury that the foregoing is true and correct. Executed this 22nd day of August 2025, in Redwood Shores, CA.



Timothy Layden

CERTIFICATE OF SERVICE

The undersigned certifies, in accordance with 37 C.F.R. § 42.6(e), and pursuant to agreement by the parties that filing with the Board through the P-TACTS constitutes electronic service if Patent Owner provides the foregoing document (excluding exhibits), service was made on the Petitioner as detailed below.

<i>Date of service</i>	August 22, 2025
<i>Manner of service</i>	Electronic Filing and Electronic Mail (PH-ResMed-CleveMed@paulhastings.com)
<i>Documents served</i>	DECLARATION OF TIMOTHY LAYDEN IN SUPPORT OF UNOPPOSED MOTION FOR <i>PRO</i> <i>HAC VICE</i> ADMISSION
<i>Persons Served</i>	Paul Hastings LLP Lisa K. Nguyen David M. Tennant Grace Wang Kevin Stewart

/James Hannah/
James Hannah
Registration No. 56,369
Lead Counsel for Patent Owner