Filed on behalf of: ResMed Corp. Filed: August 27, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RESMED CORP.,

Petitioner,

v.

CLEVELAND MEDICAL DEVICES INC.,

Patent Owner.

IPR2025-00159
U.S. Patent No. 11,375,921

DECLARATION OF HOWARD HERR IN SUPPORT OF PETITIONER'S MOTION FOR *PRO HAC VICE* ADMISSION UNDER 37 C.F.R. § 42.10(c)

I, Howard Herr, declare as follows:

1. I am a member in good standing in the State Bar of Massachusetts and Bar of the District of Columbia.

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

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

4. I have never been subject to any sanction or contempt citation imposed 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 part 42 of 37 C.F.R.

6. I acknowledge and agree to 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 am an attorney at Paul Hastings. I am an experienced patent litigation attorney with more than nine years of experience. In that time, I have supported or worked on various aspects of *Inter Partes* Review proceedings and patent litigation before the district courts.

8. I have substantial familiarity with the subject matter at issue and I have thoroughly reviewed the Petition and exhibits in this proceeding. I have been actively involved in analyzing and assisting with the Petition.

9. I have been previously recognized as counsel *pro hac vice* in a Board proceeding.

10. I declare under penalty of perjury that the foregoing is true and correct. I further 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.

Executed on August 27, 2025

/ Howard Herr /
Howard Herr