UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RØDE MICROPHONES, LLC AND
FREEDMAN ELECTRONICS PTY LTD,
Petitioner,

v.

ZAXCOM, INC.,
Patent Owner.

IPR2025-00230 (U.S. Pat. No. 7, 711,443)

IPR2025-00232 (U.S. Pat. No. 10,276,207)

DECLARATION OF DAMIEN WILSON

I, Damien Wilson, declare as follows:

1. I am of over the age of eighteen, and am competent to make this declaration on behalf of Petitioners, Freedman Electronics Pty Ltd. ("Freedman") and RØDE Microphones, LLC ("RØDE") (together, "Petitioners"). I reside in Sydney, New South Wales, Australia. I provide this declaration based upon my personal knowledge.

2. I am Chief Executive Officer and a Director on the Board of Freedman, a corporation organized under Australian law, located at 107 Carnarvon Street Silverwater, NSW 2128 Australia.

3. RØDE is a Delaware corporation located at 2745 N. Raymond Ave., Signal Hill, CA 90809-1028. RØDE is a wholly-owned, direct subsidiary of Freedman. I am also Chief Executive Officer of RØDE.

4. I joined Freedman in 2007 as a Marketing Manager, followed by promotion to Global Sales and Marketing Director. I was General Manager of RØDE Microphones, LLC in the United States until 2013. I became CEO of Freedman in 2016.

5. In my position as CEO of Freedman, I oversee all aspects of the worldwide RØDE-branded audio product business, including product research and development, manufacturing, marketing and sales, distribution, legal, and administrative matters. Freedman manufactures its RØDE-brand products at our Australia facility at Silverwater in Sydney, and distributes them worldwide, including through a network of distributors and their dealers in countries around the globe, and through RØDE Microphones, LLC in the U.S.

6. As Freedman CEO, I also have supervisory responsibility for other corporations in the Freedman Group.[1] These entities include Freedman Sound Corp. (formerly Transom Loud Holdings Corp., which wholly owns Loud Audio LLC doing business as Mackie, maker of Mackie-brand live audio equipment), Aphexoz LLC (Aphex-brand audio processing, recording and performance equipment), SoundField (microphones), and—as of an acquisition in early May 2025—Lectrosonics, Inc. ("Lectrosonics"), a New Mexico-based manufacturer of professional wireless audio systems.

[1] The Freedman Group is the term that encompasses Freedman and its controlled entities. The Freedman Group is not a separately incorporated legal entity.

7. As Freedman CEO, I was personally involved, along with Freedman founder and Director Peter Freedman, in negotiating the acquisition of Lectrosonics.

8. The Lectrosonics acquisition grew out of discussions between Freedman and Lectrosonics that started in June 2024. Freedman was interested in exploring the possibility of a product development partnership with Lectrosonics to [redacted] Toward that end, I authorized Freedman Technology Director Pieter Schillebeeckx to reach out to Lectrosonics. I understand that the Petitioners have produced the early introductory emails between me, Mr. Schillebeeckx, and Lectrosonics Executive Vice President for Product Design & Distribution Karl Winkler (which I address below). IPR2025-00230, Ex., 2167; Ex. 2025-00232, Ex. 2070. Mr. Schillebeeckx and Mr. Winkler executed a first nondisclosure agreement between Freedman and Lectrosonics on July 8/9, 2024. IPR2025-00230, Ex., 2169; IPR2025-00232, Ex. 2072.

9. On or about August 21, 2024, we learned that Lectrosonics was actively engaged in seeking an acquirer. Lectrosonics' representative sent me a confidential

information memorandum in late November 2024. IPR2025-00230, Ex., 2170, IPR2025-00232, Ex. 2073.

10. After a visit to Lectrosonics on December 7, 2024 by myself and Peter Freedman, owner of Freedman which also wholly owns subsidiary RØDE, to consider a possible acquisition, and after further discussions, on January 20, 2025, Freedman and Lectrosonics jointly executed a letter of intent to negotiate an acquisition of Lectrosonics, with a proposed price identified in the letter. IPR2025-00230, Ex., 2172; IPR2025-00232, Ex. 2075. The parties signed a second nondisclosure agreement on February 4, 2025. IPR2025-00230, Ex., 2173; IPR2025-00232, Ex. 2076.

11. In or about the end of January 2025, an electronic data room was set up for the purpose of Freedman's representatives conducting due diligence of Lectrosonics toward the anticipated acquisition. The data room did not include any documents relating to Zaxcom's concluded patent litigation or inter partes review (IPR) proceedings with Lectrosonics. Nor did Lectrosonics provide any such documentation or information outside the data room, with the sole exception (after execution of the January 20, 2025 letter of intent for the Lectrosonics acquisition and the execution of nondisclosure agreements on July 9, 2024 and February 4, 2025) of

the document that Lectrosonics provided in or about the end of February 2025/early March 2025, as described below in paragraph 19.

12. The first communication between Freedman and Lectrosonics was in June 2024 between Mr. Schillebeeckx and Mr. Winkler, regarding Freedman's interest in potentially engaging in a product development partnership [redacted]. On June 19, 2024, Mr. Schillebeeckx emailed Mr. Winkler and me to introduce us. IPR2025-00230, Ex. 2167 at 3; IPR2025-00232, Ex. 2070 at 3. Mr. Schillebeeckx noted to Mr. Winkler that "you were asking some questions with regards Zaxcom which I couldn't answer" and said that I was eager to connect. IPR2025-00230, Ex. 2167 at 3; IPR2025-00232, Ex. 2070 at 3. Mr. Schillebeeckx told me that in addition to the technology partnership idea he had discussed with Mr. Winkler, Mr. Winkler, who was aware from public sources of Zaxcom's pending patent infringement suit against Petitioners in Delaware, had some general questions about the litigation that Mr. Schillebeeckx, who was not involved in the litigation, could not answer. Mr. Winkler and I exchanged emails between June 19 and June 25, 2025, to set up a call, including one on June 25, 2025 where I said "Talk in a few mins." IPR2025-00230, Ex. 2167 at 1; IPR2025-00232, Ex. 2070 at 1. Mr. Winkler followed up with a

screenshot of an internet messageboard discussion about the Zaxcom litigation against Petitioners, stating it was "For the discussion." IPR2025-00230, Ex. 2167 at 1; IPR2025-00232, Ex. 2070 at 1. Despite these efforts, we did not end up connecting on a call to discuss Zaxcom.

13. Freedman's acquisition of Lectrosonics closed on May 9, 2025, with the execution of the Securities Purchase Agreement between RØDE Microphones, LLC, and Lectrosonics. IPR2025-00230, Ex. 2186; IPR2025-00232, Ex. 2089.

14. As a result of the transaction, RØDE became the 100% owner of all Lectrosonics shares. As RØDE was wholly owned by Freedman, Lectrosonics became an indirect, wholly-owned subsidiary of Freedman. Lectrosonics' financial results will be consolidated into the results of its parent, RØDE, whose results will further be consolidated into the results of Freedman.

15. As the press release announcing the transaction stated, "Lectrosonics will continue to operate from its existing facilities in New Mexico, with the current management team remaining in place to ensure continuity and preserve the brand's unique identity and customer relationships." IPR2025-00230, Ex. 2174; IPR2025-

00232, Ex. 2077. Lectrosonics' officers before and after the transaction were and are:

PRE-ACQUISITION		POST-ACQUISITION	
Name	**Title**	**Name**	**Title**
Wesley Herron	President	Wesley Herron	President
Karl Winkler	EVP product design and distribution	Karl Winkler	EVP, product design, and distribution
Robert Cunnings	VP, IT, quality assurance, logistics	Robert Cunnings	VP, IT, quality assurance, logistics
David Thomas	VP, engineering	David Thomas	VP,engineering
Christine A. Butler	Secretary	Damien Wilson	Secretary and Treasurer

Ex. 1043 (response to interrogatory 16 p. 19). Lectrosonics' board members before and after the transaction were and are:

PRE-ACQUISITION		POST-ACQUISITION	
Wesley Herron	Director	Wesley Herron	Director
John Gordon Moore	Director	John Gordon Moore	Director
Christine A. Butler	Director	Peter Freedman	Director
Lawrence E. Fisher	Director	Damien Wilson	Director
Leonard L. Layba	Director	Joe Hockey	Director
Curtis Porter	Director		

Ex. 1043 (response to interrogatory 16 p. 20). No one from Lectrosonics has become an officer or board director (or board manager, in the case of RØDE, which has a Board of Managers instead of a Board of Directors) of RØDE or Freedman.

16. Freedman's directors and managers both before and after the Lectrosonics acquisition were and are:

Peter Freedman	Director
Joseph Hockey	Director
Damien Wilson	Director

Damien Wilson	CEO
Stuart Kipreolis	Company Secretary/CFO
Richard Johnstone	Revenue manager
Pieter Schillebeeckx	Technology director

Ex. 1043 (response to interrogatory 16 p. 20). RØDE's Board of Managers both before and after the Lectrosonics acquisition were and are: Peter Freedman and Joseph Hockey. Ex. 1043 (response to interrogatory 16 p. 21).

17. As Freedman CEO, I have ultimate management responsibility for and knowledge of this IPR proceeding, including the planning, approval, and filing on December 4, 2024 of Petitioner's petition. The decision to file Petitioners' Petition for Inter Partes Review was made by me, in consultation with Freedman's in-house counsel Chris Lee and our outside litigation and IPR counsel at Dechert LLP.

18. No one outside of Petitioners or their counsel Dechert LLP —including anyone at Lectrosonics—played any role in the preparation, drafting, strategy, prior art selection, argument selection, or filing of IPR2025-00230/231/232 or any of the other IPRs filed by Petitioners. Nor have Petitioners or their counsel entered into any written or oral agreements or understandings with Lectrosonics concerning any of

the IPRs filed by Petitioners. Neither has Lectrosonics provided any direct or indirect funding or documents for any of the IPRs filed by Petitioners. In sum, Lectrosonics has had no input, influence, direction, or control over any of the IPRs filed by Petitioners either before or after they were filed. The same is true with respect to Petitioners in the case of the IPRs filed by Lectrosonics against Zaxcom's patents. Petitioners played no role in those earlier Lectrosonics' IPRs. Nor has Lectrosonics played any role in the Delaware litigation between Zaxcom and Petitioners, other than providing Petitioners with the document discussed in the next paragraph.

19. While it did not have anything to do with IPR2025-00230/231/232 or the '443, '902 patent, or '207 patents, in or about end of February/early March, 2025, during a visit by me to Lectrosonics in New Mexico, Lectrosonics director, John Gordon Moore gave to James Hocking, commercial advisor from PwC Australia to Freedman and RØDE, a paper printout of a confidential, attorney-client document consisting of an annotated claim chart purporting to compare operating instructions of something called a "Joey Transcorder CTR-751/V" to certain claims of Zaxcom patent No. 9,336,307. Mr. Moore said he was giving me the document to forward to our counsel to determine whether it was relevant to the pending infringement litigation in Delaware. I understand the document was originally prepared by

Lectrosonics' outside counsel Justin R. Muehlmeyer of Peacock Law P.C. Mr. Moore did not give to James Hocking anything else pertaining to the claim chart or to Zaxcom's patents, including the "Joey" operating instructions referenced in the chart. When I returned to Australia, James Hocking gave the document to me when visiting Freedman premises for a meeting and I in turn gave it to Freedman in-house counsel Chris Lee with instructions to send it to Dechert for review. This was the only document relating to the validity of a Zaxcom patent that Lectrosonics provided to Petitioners before the May 9, 2025 closing of the acquisition. I understand that to date, the Joey reference has not been used against Zaxcom's patents in the litigation, nor was it included in any of Petitioners' IPR petitions.

20. Since the dismissal of the Zaxcom v. Lectrosonics litigation in February 2023, Zaxcom has not sued Lectrosonics for patent infringement or accused Lectrosonics of infringement. Lectrosonics stopped manufacturing and selling the product that was accused in that lawsuit—the Lectrosonics PDR—back in 2019, more than five and a half years ago. Ex. 1078. At that time, the product design was already several years old, having been released in 2016. Also, the PDR was obsolete as in August 2019, the SPDR was released and in March 2020 the MTCR was released. These products with advanced technology and features replaced the PDR. As a result,

even if Lectrosonics could make and sell the PDR in the United States today, it would not do so. Lectrosonics would have no interest in resuming manufacture and sale of the PDR as it is obsolete and replaced by the SPDR and MTCR, it would no longer be state-of-the art or commercially competitive.

21. The foregoing paragraphs are substantively the same as in my declaration of June 4, 2025, that was submitted in IPR2025-00231 (U.S. Pat. No. 7,929,902), Ex. 1041; IPR2025-00230, Ex. 2165; and IPR2025-00232, Ex. 2068. Below, I provide additional supplemental information.

22. As of the date of execution of this declaration, paragraphs 17-18 above have been, and continue to be, true and accurate. Lectrosonics has had no role in the instant IPR proceedings. Nor did Petitioners play any role in the earlier court litigation or IPRs between Lectrosonics and Zaxcom.

23. The instant IPR Petitions were prepared and then filed on December 4, 2024, and the proceedings have been maintained since then, solely for the interest and benefit of Petitioners. More particularly, Petitioners are presently defendants in Case No. 1:23-cv-01245-JFM (D. Del.) which was filed by Zaxcom Inc. against Petitioners on October 31, 2023, and which accuses RØDE's Wireless GO II and Wireless PRO

products of infringing U.S. Patent Nos. 7,711,443 and 10,276,207, and 7,929,902, among others. In consultation with in-house and outside counsel, the decision to file the Petitions was made by me for the sole purpose of cancelling challenged claims that had been asserted by Zaxcom against Petitioners' products. Lectrosonics and its interests played no role in my decision to file the Petitions. Indeed, Freedman/RØDE did not even have its first substantive meeting with Lectrosonics to discuss a potential acquisition until December 7, 2024, several days after the Petitions were filed.

24. Other than receiving periodic updates from in-house counsel on the status of the instant IPR proceedings, and preparing these declarations, I have provided no further direction, guidance, or input into the proceedings since the Petitions were filed. The post-Petition strategy and the conduct of the proceedings has been left to the discretion of outside counsel, Dechert LLP, who have been retained by and represent Petitioners, and not Lectrosonics.

25. In my view, the instant IPR proceedings continue to be solely for the interest and benefit of Petitioners, and not Lectrosonics. None of Lectrosonics' current products has been accused by Zaxcom of infringing any Zaxcom patents. There is no pending litigation between Lectrosonics and Zaxcom.

26. I am familiar with the functionality of Lectrosonics' current product line. Lectrosonics' wireless audio transmitter products either do not support receiving timecodes (e.g., in the case of the SMWB, SMDWB, SMV, SMB, DBu, DCHT, DSSM products), or they only receive timecodes through a wired cable connected to a multi-pin input port (e.g., in the case of the DBSM, DBSMD, DPR-A products). Exs. 1080, 1081. [redacted]

27. To the best of my recollection the instant IPRs have not come up or been discussed at any Lectrosonics' board meetings. Nor have I personally discussed the pending IPRs with any officers or employees of Lectrosonics.

28. I understand that Zaxcom has asserted that Petitioners and Lectrosonics "operate[s] as a single merged entity." This is false. There has been no corporate merger. Instead, RØDE Microphones LLC bought the shares (ownership) of Lectrosonics. Lectrosonics continues to exist as its own separately managed legal entity, with its own officers and Board of Directors, with some overlap as set forth above. The purpose of the acquisition was two-fold. First the acquisition added a subsidiary to the Freedman Group that has long specialized in the professional segment of the audio market, whereas RØDE has mostly occupied the consumer and prosumer

segments of the market. Thus, the acquisition was complementary. Second, there were synergies to be had in having corporate siblings RØDE and Lectrosonics share certain technologies. [redacted]

29. Petitioners and Lectrosonics have maintained the following relationship:

a) They have Boards of Directors (Board of Managers in the case of RØDE) and officerships that include different personnel as set forth above.

b) They continue to observe their respective corporate formalities, including separate Board meetings and corporate filings.

c) They own, operate and manage separate physical facilities, including separate office spaces and separate manufacturing facilities.

d) They have their own employees, who are paid separately by Petitioners and by Lectrosonics.

e) They conduct their businesses under their own names. Petitioners do not hold themselves out as being Lectrosonics, nor does Lectrosonics hold itself out as being either or both of Petitioners. Lectrosonics is presented as being one of several separate sibling companies, including RØDE and Mackie, under the "Freedman Group" umbrella., wherein Freedman Group, as noted above, is not actually a legal entity. "Freedman Group" serves to signify a constellation of

related and well-regarded, but separate, companies that serve different market segments.

f) Neither Petitioner exercises day-to-day control of the operations of Lectrosonics, or vice versa.

g) Each Petitioner and Lectrosonics was well-capitalized and solvent before the acquisition and remains so now.

h) They maintain their own income streams and manage and pay their own expenses.

i) They maintain separate bank accounts. Lectrosonics' revenues and expenses are deposited and charged against different accounts than are used by Freedman and RØDE.

j) They maintain separate corporate and financial records, although the financial reports of Petitioners will now also reflect the roll-up of the financial results of Lectrosonics, as is common for parent-subsidiary relationships.

k) They file their own tax returns.

l) They have separate auditors.

m) They maintain separate insurance, benefits, and retirement plans.

n) They have separate engineering teams, although there is some technology sharing between the teams as explained above.

o) They have their own marketing teams.

p) They maintain their own product distribution networks and arrangements, wherein Lectrosonics manages distribution of its products from its New Mexico headquarters, and RØDE manages importation and distribution of its products from its California

headquarters. Although in some cases Lectrosonics and RØDE sell to the same dealers, they do so independently, including conducting independent invoicing.

q) Lectrosonics and RØDE have, and will continue to maintain, their own product lines that are designed and marketed under their own brands.

30. I understand that the issue of Audinate technology, and an August 8, 2025, press release concerning the Freedman Group and Audinate has been raised. IPR2025-00230, Ex. 2162; IPR2025-00232, Ex. 2065. As an initial matter, I note that the pertinent Audinate Dante technology involves transmitting uncompressed low-latency audio over Ethernet. As a result, it is not included in or used by Petitioner's wireless microphone transmitters (GO II and PRO) that have been accused by Zaxcom. Nor is it used in Lectrosonics' wireless microphone transmitters (e.g., SMWB, DBSM). Lectrosonics has been an existing licensee of Audinate's Dante technology since at least August 3, 2020, and has had rack-mount products that include Dante technology for years prior to the acquisition. Freedman Electronics, however, did not itself become a licensee of Audinate's Dante technology until April 15, 2025. There was no involvement by, or mention of, Lectrosonics during the negotiations between Freedman and Audinate over that license. Freedman did not negotiate a license with Audinate for or on behalf of Lectrosonics. The purpose of the press release was merely

to announce that sibling companies within the "Freedman Group" could all now offer Audinate's Dante technology, RØDE because of the newly executed license, and Lectrosonics because of its pre-existing license.

31. While there was a May 8, 2025, press report in Forbes Australia discussing the possibility of shifting the manufacturing of some RØDE products from Australia to New Mexico to avoid U.S. tariffs [redacted] IPR2025-00230, Ex. 2177; IPR2025-00232, Ex. 2080. Lectrosonics is not manufacturing any RØDE products. Conversely, RØDE's manufacturing facilitates are not making any Lectrosonics' products.

32. Lectrosonics is incorporated in New Mexico. IPR2025-00230, Ex. 2186 at 1; IPR2025-00232, Ex. 2089 at 1. Pursuant to the May 2025 Securities Purchase Agreement between RØDE Microphones LLC and Lectrosonics, the parties agreed that "[t]he validity and construction of this Agreement shall be governed by the internal laws of the State of New Mexico, without regard to the conflicts of law principles of that or any other State." IPR2025-00230, Ex. 2186 at 79 (Section 13.8); IPR2025-00232, Ex. 2089 at 79 (Section 13.8).

I declare under penalty of perjury under the laws of the United States of America and New South Wales, Australia, that the foregoing is true and correct.

Dated: 10 Dec 2025

Damien Wilson