UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PADAGIS US LLC,

Petitioners

v.

NEURELIS, INC.,

Patent Owner.

Case No. IPR2025-00464
U.S. Patent No. 8,895,546

DECLARATION OF TIMOTHY P. BEST IN SUPPORT OF PATENT OWNER'S NOTICE OF INTENT TO DESIGNATE A PROVISIONALLY RECOGNIZED PTAB ATTORNEY AS BACK-UP COUNSEL

I, Timothy P. Best, hereby declare to the following:

1. I submit this declaration in support of Neurelis, Inc.'s notice of intent to designate me as back-up counsel in each of IPR2025-00464, -00465, and -00466 ("the IPRs").

2. I am a provisionally recognized PTAB attorney. I have most recently been recognized *pro hac vice* before the Patent Trial and Appeal Board in IPR2023-00731 and IPR2023-00732. *See* IPR2023-00731, Paper 12 (PTAB July 12, 2023).

3. I have not subsequently been denied permission to appear *pro hac vice* in any Board proceeding since my admission in IPR2023-00731 and IPR2023-00732.

4. I am a member in good standing of the State Bar of California.

5. I have not been suspended or disbarred from practice before any court or administrative body.

6. I have never been denied application for admission to practice before any court or administrative body.

7. No sanction or contempt citation has been imposed against me by any court or administrative body.

8. 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).

9. 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 of the Code of Federal Regulations.

10. I have substantive and legal familiarity with the subject matter at issue in each of the IPRs. I am an experienced litigation attorney and have been involved in numerous patent infringement cases in Federal Courts across the country. I have experience in various aspects of patent-infringement matters including jury and bench trials, *Markman* hearings, and summary judgment hearings. I am counsel for the Patent Owner in a co-pending litigation, *Neurelis, Inc. v. Padagis LLC, et al.*, 1:24-cv-00562 (MN) pending in the United States District Court for the District of Delaware. That litigation involves U.S. Patent No. 8,895,546 ("the '546 Patent"), the same patent at issue in this proceeding. In my role as counsel in the co-pending litigation, I have reviewed and am familiar with the '546 Patent and the asserted prior art references and invalidity claim charts. I have been involved, and am familiar, with the factual and legal arguments at issue in that case. As such, I have established familiarity with the subject matter at issue in this proceeding.

11. In the past three years, I have applied for and been granted leave to appear *pro hac vice* in IPR2023-00731, IPR2023-00732, IPR2023-00491, IPR2023-00528, IPR2023-00633, and IPR2023-00699.

12. I have satisfied all requirements set forth by the Board for *pro hac vice* recognition of a provisionally recognized PTAB attorney.

13. I hereby 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.

Respectfully submitted,

Date: February 10, 2025

/Timothy P. Best/

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