

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ZAXCOM, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 23-1245-JFM
	)	
RODE MICROPHONES, LLC AND	)	
FREEDMAN ELECTRONICS PTY LTD.,	)	
	)	
Defendants.	)	

DECLARATION OF MICHAEL A. FISHER IN SUPPORT OF DEFENDANTS RØDE MICROPHONES, LLC'S AND FREEDMAN ELECTRONICS PTY LTD.'S MOTION TO STAY LITIGATION PENDING INTER PARTES REVIEW

I, Michael A. Fisher, declare as follows:

1. I am an attorney for Defendants RØDE MICROPHONES, LLC and FREEDMAN ELECTRONICS PTY LTD. in the above-captioned action. I am over the age of eighteen, am licensed to practice law in Pennsylvania and New York, and have been admitted pro hac vice to this Court for the above-captioned matter. I have personal knowledge of the facts set forth herein and, if called upon as a witness, could and would testify to them competently under oath.

2. I submit this Declaration in support of Defendants RØDE MICROPHONES, LLC's and FREEDMAN ELECTRONICS PTY LTD.'s Motion to Stay Litigation Pending Inter Partes Review.

3. Attached as Exhibit A is a true and correct copy of the June 16, 2025 Decision of the Patent Trial and Appeal Board Granting Institution of Inter Partes Review in *Rode Microphones, LLC v. Zaxcom, Inc.*, Case No. 2025-00230 (P.T.A.B.).

4. Attached as Exhibit B is a true and correct copy of the June 16, 2025 Decision of the Patent Trial and Appeal Board Granting Institution of Inter Partes Review *Rode Microphones, LLC v. Zaxcom, Inc.*, Case No. 2025-00231 (P.T.A.B.).

5. Attached as Exhibit C is a true and correct copy of the June 16, 2025 Decision of the Patent Trial and Appeal Board Granting Institution of Inter Partes Review in *Rode Microphones, LLC v. Zaxcom, Inc.*, Case No. 2025-00232 (P.T.A.B.).

6. Attached as Exhibit D is a true and correct copy of the December 4, 2024 Petition for Inter Partes Review filed in *Rode Microphones, LLC v. Zaxcom, Inc.*, Case No. 2025-00230 (P.T.A.B.).

7. Attached as Exhibit E is a true and correct copy of the December 4, 2024 Petition for Inter Partes Review filed in *Rode Microphones, LLC v. Zaxcom, Inc.*, Case No. 2025-00231 (P.T.A.B.).

8. Attached as Exhibit F is a true and correct copy of the December 4, 2024 Petition for Inter Parties Review filed in *Rode Microphones, LLC v. Zaxcom, Inc.*, Case No. 2025-00232 (P.T.A.B.).

9. Attached as Exhibit G is a true and correct copy of a document from the United States Patent and Trademark Office titled “PTAB Trial Statistics Fiscal Year 2024 End of Year Outcome Roundup IPR, PGR,” which can be found at https://www.uspto.gov/sites/default/files/documents/ptab_aia_fy2024_roundup.pdf.

10. Attached as Exhibit H is a true and correct copy of the February 7, 2025 Petition for Inter Partes Review filed in *Rode Microphones, LLC v. Zaxcom, Inc.*, Case No. 2025-00557 (P.T.A.B.).

11. Attached as Exhibit I is a true and correct copy of a June 20, 2025 email

correspondence from Defendants' counsel to Plaintiff's counsel informing Plaintiff's counsel of Defendants' intention to move for a stay of this action.

12. Attached as Exhibit J is a true and correct copy of the April 7, 2025 Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Response in *Rode Microphones, LLC v. Zaxcom, Inc.*, Case No. 2025-00557, Paper 5 (P.T.A.B.).

13. As of today's date, neither party has taken any fact depositions in this action. The parties have, however, engaged in document discovery and exchanged documents. After the PTAB's institution decisions of June 16, 2025, Defendants notified Plaintiff of their intention to move for a stay via email correspondence on June 20, 2025. The parties met and conferred on June 25, 2025, and Plaintiff notified Defendant of its intention to oppose a stay.

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

Executed this 26th day of June, 2025, in Philadelphia, Pennsylvania.

/s/ Michael A. Fisher

Michael A. Fisher