

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SUZHOU MOJAWA INTELLIGENT ELECTRONIC CO., LTD.,
Petitioner,

v.

SHENZHEN SHOKZ CO., LTD.,
Patent Owner.

U.S. Patent No. 11,310,582

Case No.: IPR2025-00843

**DECLARATION OF WEI YUAN, PH.D., IN SUPPORT OF PATENT
OWNER'S BRIEF FOR DISCRETIONARY DENIAL**

1. I am an attorney at Perkins Coie LLP, counsel of record for Patent Owner Shenzhen Shokz Co., Ltd. (the "Patent Owner") in the above-referenced proceeding. I am submitting this declaration in support of Patent Owner's Brief for Discretionary Denial (the "Brief for Discretionary Denial"). I make this declaration based on my personal knowledge of the facts set forth herein, unless otherwise indicated.

2. **Exhibit 2001** attached to the Brief for Discretionary Denial is a true and correct copy of Chinese Patent No. CN107484054 ("Li '054") and its certified English translation.

3. As a native speaker of Chinese, I am able to read and understand documents in their original Chinese language. I have reviewed and compared the specifications of Li '054 and Chinese Patent No. CN107994492 ("Li '492"), which is relied upon by Petitioner in its Petition as Exhibit 1004 (original) and Exhibit 1022 (certified translation).

4. **Exhibit 2011** attached to the Brief for Discretionary Denial is a comparison of the certified translation of Li '054 (Exhibit 2001) and the certified translation of Li '492 (Exhibit 1022). I confirm that, apart from differences in their abstracts, claim sets, bibliographic data, and paragraphs [0001] to [0005] (the Field of the Invention, Background of the Invention, and Contents of the Invention

sections), two references starting from paragraph [0006]—including the written description, drawings, figure numbers, and paragraph numbering—are identical.

5. I am an attorney of record for Patent Owner in the parallel district court proceeding, *Shenzhen Shokz Co. Ltd. v. Shenzhen Wenming Tech. Co. Ltd. et al.*, Case No. 1:24-CV-06717 (N.D. Ill.) (the “District Court Proceeding”). I have personal knowledge of the procedural history of the District Court Proceeding. The record of filings in that case, as reflected in the docket report as of July 30, 2025, attached to the Brief for Discretionary Denial as **Exhibit 2008**. I confirm that the following events have occurred:

- a. Complaint filed July 31, 2024, and service on the Petitioner Suzhou Mojawa Intelligent Electronic Co., Ltd. effected on August 29, 2024;
- b. Scheduling order entered December 18, 2024, setting, among other dates, a *Markman* hearing for November 6, 2025, close of fact discovery for January 9, 2026, close of expert discovery for March 27, 2026, and a dispositive-motion deadline of May 21, 2026;
- c. Patent Owner's Initial Infringement Contentions (184 pages in total) served January 16, 2025;
- d. Petitioner's Initial Invalidity and Non-Infringement Contentions (567 pages in total) served January 30, 2025;

- e. Patent Owner's written response to Petitioner's Initial Invalidity and Non-Infringement Contentions (738 pages in total) served February 13, 2025;
- f. Patent Owner's Final Infringement Contentions (376 pages in total) served on June 12, 2025;
- g. Petitioner's Final Invalidity and Non-Infringement Contentions (954 pages in total) served on June 12, 2025;
- h. Both parties' written responses to final infringement and invalidity contentions (1111 and 39 pages in total, respectively) exchanged July 10, 2025;
- i. The parties' lists of claim terms for construction and proposed constructions exchanged July 24, 2025.
- j. The parties have begun document discovery, exchanged written discovery requests, and are preparing claim-construction briefing pursuant to the court's schedule.

6. I have caused a search to be conducted of publicly available legal research databases for orders and opinions issued by the Honorable Jorge L. Alonso, the presiding judge in the District Court Proceeding, concerning contested motions to stay litigation pending *inter partes* review. That search did not identify any rulings by Judge Alonso on such a motion.

7. I have reviewed Petitioner's Final Unenforceability and Invalidity Contentions, served in the District Court Proceeding on June 12, 2025 (attached to the Brief for Discretionary Denial as **Exhibit 2012**). For the independent claims of the '582 Patent, the Li '492 and Liao references are the only prior art patents or publications that Petitioner has charted against the following claim elements recited in independent claim:

- a. 1[c] ("a core housing for accommodating an earphone core, the core housing being fixed to the first plug end and elastically abutted against the protective sleeve");
- b. 1[d] ("the core housing including a housing panel facing human body and a housing back panel opposite to the housing panel");
and
- c. 1[e] ("the vibration of the earphone core drives the housing panel and the housing back panel to vibrate, the vibration of the housing panel having a first phase, the vibration of the housing back panel having a second phase, wherein when the vibration frequencies of the housing panel and the housing back panel is within a range of 2000 Hz to 3000 Hz, an absolute value of a difference between the first phase and the second phase is less than 60 degrees").

8. In the District Court Proceeding, Patent Owner is currently asserting claims 1, 7-11, 13-17, and 19 of U.S. Patent No. 11,310,582 against various products of Petitioner.

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

Dated: July 30, 2025

Respectfully submitted,

/Wei Yuan/

Wei Yuan, Ph.D.