

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TREASURE GARDEN, INC.,
Petitioner,

v.

ATLEISURE, LLC,
Patent Owner

Case IPR2025-01005
Case IPR2025-01006
Patent 8,104,492

DECLARATION OF JASON BLISS

I, Jason Bliss, declare as follows:

1. My name is Jason Bliss. I am over the age of majority and legally competent to testify to the true facts stated herein.

2. I am currently the Vice President of the Patent Owner, ATLeisure, LLC (“ATLeisure”). I have served as the Vice President since September 12th, 2011. In my position, I have knowledge as to ATLeisure’s products, sales and licensing practices.

3. ATLeisure has sold products covered by the ‘492 patent since approximately 2012. Since that time, ATLeisure has sold approximately ninety different models of umbrellas falling within the claims of the ‘492 patent. In total, ATLeisure has sold about 400,000 umbrellas that fall within the claims of the ‘492 patent.

4. For example, below is an example of ATLeisure’s Season Sentry 10’ Square 2-Tier LED Offset Umbrella #UMB-241023, sold at Costco, which falls within the claims of the ‘492 patent:



5. A significant benefit to ATLeisure's offset umbrellas under the '492 patent over other offset designs is locating the crank to open and close the canopy on the slide. I know some competitors in the market instead use a winding mechanism and crank at the base of the pole to open and close the canopy, but when someone adjusts the angle of the umbrella in those designs, the canopy also ends up opening or closing as a result, which is not as convenient as the design in the '492 patent that is used in ATLeisure's offset umbrellas like the Season Sentry model above. Moreover, by locating the winding mechanism and crank in proximity to the sliding member, it is typically more convenient to open and close the canopy rather than locating the crank near the base of the umbrella, as found in some competing

products. Our internal research indicates that convenience of operation is an important factor to our customers.

6. ATLeisure also sells many models of the “market” style umbrella. Market umbrellas are a traditional umbrella supported from a single center pole. In 2025, ATLeisure’s best-selling market umbrella was the Backyard Creations 9’ Steel Market Umbrella #UMB-933030, which is not covered by the ‘492 Patent. This product (below) is sold at Menards:



7. In the patio umbrella industry, which is the relevant market used by ATLeisure to evaluate the product offerings and sales, market umbrellas cost far less and are priced lower than offset umbrellas. As a result, ATLeisure generates significantly more revenue on each patented offset umbrella sold compared to its

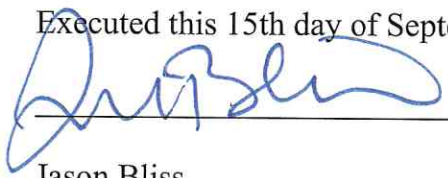
market umbrellas, and given industry pricing trends, this is likely true of ATLeisure's competitors as well.

8. I am the point person on ATLeisure's licensing efforts. ATLeisure entered two licenses prior to 2020, when its licensing program began in earnest. Since that time, ATLeisure has licensed the '492 patent another 27 times. In 28 of the 29 licenses, the '492 patent was the only patent included in the license. In total, ATLeisure has received about \$12MM in payments from licensees to the '492 patent.

9. Although the industry does not share much data amongst competitors (or with industry publications), based on ATLeisure's internal projections, we believe (a) over 50% of the offset umbrellas sales fall within the '492 patent; and (b) sales of offset umbrellas under the '492 patent (including those of ATLeisure and its licensees) have climbed to approximately 27-30% of the total market share for patio umbrellas of all types.

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

Executed this 15th day of September, 2025.



Jason Bliss