UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AESTHETIC MANAGEMENT PARTNERS, LLC AND
AESTHETIC MANAGEMENT PARTNERS, INC.,

Petitioner,

v.

HYDRAFACIAL LLC

Patent Owner.

Case No. IPR2025-01169
U.S. Patent No. 9,550,052

EXPERT DECLARATION OF

PALLAVI SETH, PH.D.

ON BEHALF OF

HYDRAFACIAL LLC F/K/A EDGE SYSTEMS LLC

[REDACTED - PUBLIC VERSION]

Aesthetic Management Partners, LLC et al v. HydraFacial
IPR2025-01169
HydraFacial Ex. 2003

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I. Introduction

1. I have been retained as an expert in this *Inter Partes* Review (IPR) by counsel for Patent Owner HydraFacial LLC f/k/a Edge Systems LLC (referred to herein as "HydraFacial" or "Patent Owner").

2. I am a Principal at The Brattle Group, Inc. and Co-Chair of Brattle's Intellectual Property ("IP") practice. Brattle is an international consulting firm specializing in business consulting and litigation support with offices in the United States, Canada, Europe, and Australia. Brattle clients include Fortune 500 companies, leading law firms, and government agencies throughout the world.

3. Much of my practice involves analyzing various economic issues related to IP. I have consulted on behalf of clients on many Section 337 matters before the United States International Trade Commission. I have also consulted on behalf of clients on damages issues in IP matters in United States District Courts.

4. In addition, I have coauthored articles, and spoken at various conferences, including at the United States Patent and Trademark Office ("USPTO") and World Intellectual Property Organization ("WIPO") on various economic issues. I have also served as the Chair of the American Bar Association's Intellectual Property-International Trade Commission Committee ("ABA IPL-ITC").

5. I also specialize in applying the tools of economic analysis to policy questions and have performed numerous policy analyses across various industries, including having assisted the Office of the Governor of Massachusetts in evaluating the

proposed plan for hosting the Olympic Games and the economic impacts of hosting the Games on the Commonwealth.

6. I received my Ph.D. in Economics from Boston College. I also hold an A.B. in Economics and Mathematics *magna cum laude* from Mount Holyoke College.

7. My curriculum vita is attached to this declaration as **Exhibit 1**, attached hereto.

8. Brattle is being compensated for the time spent by me and individuals under my direction at Brattle's standard hourly rates. My current hourly rate is $750. This compensation is unaffected by the outcome in this matter.

I.A. Assignment

9. I have been asked by Counsel for HydraFacial to provide my opinion on whether certain HydraFacial products that practice U.S. Patent No. 9,550,052 ("'052 patent") have been commercially successful.[1] I am not offering opinions on the technical aspect of commercial success, such as whether a nexus exists between the commercial success and the merits of the inventions claimed in the '052 patent.

10. In conducting the analysis and forming the opinions reflected in this declaration, I, and Brattle staff working at my direction, reviewed various documents from HydraFacial and certain publicly available information. Relevant to this declaration, I have also had conversations with Mr. Karl Leinsing, technical expert for

[1] I previously submitted a declaration on behalf of HydraFacial in Case No. IPR2025-00145 involving U.S. Patent No. 11,865,287 ("'287 Patent"), which I understand is in the same patent family as the '052 Patent.

HydraFacial on October 15, 2025.[2] The information that I have relied upon is cited in this report and listed in **Exhibit 2,** attached hereto.

II. Summary of Opinions

11. Based on my review of the information provided to me as of the date of this report, other publicly available information, my education, my experience, and for the reasons stated below, I have concluded that:

- The HydraFacial Practicing Systems have been commercially successful as evident from significant unit sales and revenues of products practicing the ’052 patent; significant market share of products practicing the ’052 patent; and significant sales of products practicing the ’052 patent relative to non-practicing products.

III. Background

12. I understand from counsel that HydraFacial has filed lawsuits against the Petitioners in this IPR, asserting that these entities have infringed patents owned by HydraFacial, including the ’052 patent. I understand that the Petitioners filed this IPR challenging the validity of the ’052 patent on July 3, 2025.

[2] Referred to as Conversation with Mr. Leinsing, October 15, 2025. Mr. Leinsing and I are both serving as expert witnesses for HydraFacial as part of this IPR. My conversation with Mr. Leinsing on October 15, 2025 relates to preparing this declaration.

III.A. HydraFacial

13. Patent Owner HydraFacial was founded by Mr. Roger Ignon and Mr. William Cohen in 1997 in Long Beach, California.[3] Initially founded as Edge Systems, the company provided microdermabrasion technology for treatment of the skin.[4] In 2005, they offered their first HydraFacial hydrodermabrasion system for sale,[5] and in 2017 rebranded and began operating as "HydraFacial" following the success of their HydraFacial treatment technology.[6] The company officially changed its name to HydraFacial LLC after a corporate reorganization.[7] According to the company, the "HydraFacial delivery system and consumables offer an effective, non-invasive and accessible skin treatment experience." [8] HydraFacial largely operates by manufacturing and selling the delivery devices and treatment solutions used for the HydraFacial treatment.[9]

III.B. The '052 Patent

14. The '052 patent is entitled "Console System For the Treatment of Skin" and, like the '287 patent, generally relates to fluid-based dermabrasion systems that utilize more than one container containing treatment solutions and allow a user of the system to treat the patient's skin with multiple treatment solutions sequentially or

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[3] Ex. 2138 (Excerpt of HydraFacial Schedule 14A Proxy Statement), p. 216 (available at https://www.beautyhealth.com/static-files/0cfbddf1-8829-45f3-a9d1-3ad940148629; last accessed on August 21, 2025); Mediha DiMarinto, "HydraFacial Preps for IPO," Los Angeles Business Journal, March 14, 2021, last accessed January 2, 2025, https://labusinessjournal.com/manufacturing/hydrafacial-preps-ipo/.

[4] *Id.*

[5] *Id.*

[6] *Id.*

[7] Ex. 2140 (The Beauty Health Company 2023 10-K), p. 92.

[8] Ex. 2138 (Excerpt of HydraFacial Schedule 14A Proxy Statement), p. 218 (available at https://www.beautyhealth.com/static-files/0cfbddf1-8829-45f3-a9d1-3ad940148629; last accessed on August 21, 2025)

[9] Ex. 2140 (The Beauty Health Company 2023 10-K), p. 70.

simultaneously using the same device.[10] I understand the system to be comprised of a console with a manifold, a handpiece assembly and possibly other components.[11] The console stores multiple fluid containers of treatment material, and the console's manifold controls the flow of the treatment material.[12] The handpiece assembly is held by the user's hand and delivers the treatment material to the skin of the patient.[13] I also understand that the system includes a vacuum source to both draw treatment solution from the console to apply to the patient's skin and to draw used treatment solution and dead skin cells from the patient's skin.[14]

15. The application leading to the '052 patent was filed on April 28, 2015, which then issued as the '052 patent on January 24, 2017.[15] I understand the expiration date of the '052 patent is March 29, 2026.[16]

III.C. The HydraFacial Practicing Systems

16. It is my understanding from Mr. Leinsing that the following HydraFacial Delivery Systems ("Delivery Systems") practice the claims of the '052 patent: the Tower, Allegro, Elite, and Syndeo Delivery Systems (collectively, "HydraFacial Practicing Systems").[17]

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[10] Conversation with Mr. Leinsing, October 15, 2025.
[11] Ex. 1001 ('052 patent); conversation with Mr. Leinsing, October 15, 2025.
[12] Conversation with Mr. Leinsing, October 15, 2025.
[13] Conversation with Mr. Leinsing, October 15, 2025.
[14] Conversation with Mr. Leinsing, October 15, 2025.
[15] *See* Ex. 1001 ('052 patent).
[16] *Id*.
[17] Conversation with Mr. Leinsing, October 15, 2025.

17. ***Delivery Systems*** are the devices through which the HydraFacial treatment is administered.[18] These include the console that powers the treatment and stores the necessary ***Consumables*** (such as tips, solutions, and serums), as well as the handpiece assembly used to apply and remove the treatment material on the patient's skin.[19]

18. Together, the Delivery System and Consumables are used in tandem to provide the HydraFacial treatment experience. The HydraFacial treatment prescribes a three-step process: cleanse, extract, hydrate.[20]

FIGURE 1: HYDRAFACIAL TREATMENT STEPS

Hydrafacial Treatment Steps	
Step 1: Cleanse	Skin is cleansed through Vortex Fusion Technology, a specially designed tip, and a cleansing solution. The outermost layer of skin is exfoliated with a customized peel that removes dead skin cells.
Step 2: Extract	Extractions and removal of remaining debris is performed with Vortex Fusion Technology, a specialized tip, and proprietary solutions.
Step 3: Hydrate	Vortex Fusion Technology is paired with a specialized tip to deliver and infuse hyaluronic acid and antioxidants to the skin to nourish, hydrate, and protect.

Sources and Notes:
Ex. 2140 (The Beauty Health Company 2023 10-K), p. 8.

19. According to HydraFacial, "Hydrafacial created the category of hydradermabrasion with its patented delivery system ('Delivery System') that cleanses, extracts, and hydrates the skin with proprietary solutions and serums. To date, Hydrafacial has a foundation of more than 30,000 Delivery Systems across 90+ countries."[21]

20. **Figure 2** below depicts a timeline of the launch of the HydraFacial Practicing Systems: from when HydraFacial was founded, to the launch of the Tower, to the release of the Syndeo (the latest generation of the HydraFacial Practicing Systems).

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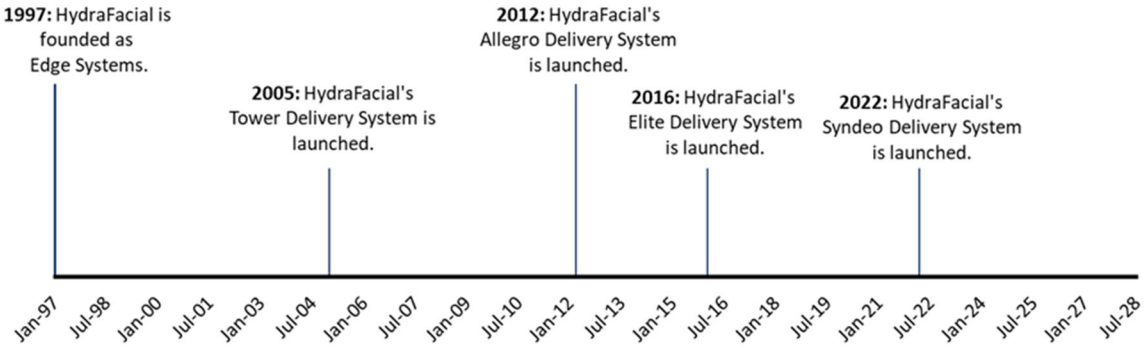
[18] Ex. 2140 (The Beauty Health Company 2023 10-K), p. 7 ("Hydrafacial created the category of hydradermabrasion with its patented delivery system ('Delivery System') that cleanses, extracts, and hydrates the skin with proprietary solutions and serums.").

[19] Ex. 2140 (The Beauty Health Company 2023 10-K), p. 8.

[20] *Id.*

[21] Ex. 2140 (The Beauty Health Company 2023 10-K), p. 7.

FIGURE 2: TIMELINE OF PRODUCTS PRACTICING THE '052 PATENT



Sources and Notes:

For all years, if the month and day of the event was not known, I assumed it to take place on January 1st of the given year.

[1997]: Ex. 2138 (Excerpt of HydraFacial Schedule 14A Proxy Statement), p. 216 (available at https://www.beautyhealth.com/static-files/0cfbddf1-8829-45f3-a9d1-3ad940148629; last accessed on August 21, 2025).

[2005]: Ex. 2141 [redacted]. Ex. 2138 (Excerpt of HydraFacial Schedule 14A Proxy Statement), p. 216

[2012]: Ex. 2141 [redacted]. For purposes of this timeline, I assume the date of the first sale and launch date to be synonymous.

[2016]: Ex. 2142 (The Beauty Health Company 2022 10-K), p. 10.

[2022]: Ex. 2142 (The Beauty Health Company 2022 10-K), p. 10.

21. HydraFacial's first generation of Delivery Systems was the HydraFacial MD machine, also known as "the Tower", which was developed in 2005.[22]

[22] Ex. 2141 [redacted]. Ex. 2138 (Excerpt of HydraFacial Schedule 14A Proxy Statement), p. 216 (available at https://www.beautyhealth.com/static-files/0cfbddf1-8829-45f3-a9d1-3ad940148629; last accessed on August 21, 2025).

FIGURE 3: EXEMPLAY IMAGE OF HYDRAFACIAL'S TOWER DELIVERY SYSTEM

Sources and Notes:

Ex. 2033 ("Hydrafacial MD System, Owner's Manual"), p. 1.

22. During the Tower's product life cycle, HydraFacial also launched the Allegro Delivery System ("Allegro") on March 28, 2012.[23] Compared to the first Delivery System "the Tower," Allegro offered more portability due to its smaller size and ability to be placed on a tabletop.

[23] Ex. 2141 [redacted]. I am also aware that other HydraFacial Delivery Systems were launched between the Tower and Allegro's launch. These include the Wave, Core, and Nectre Delivery Systems. I discuss the Nectre Delivery System in more detail in **Section IV.C**.

FIGURE 4: EXEMPLARY IMAGE OF HYDRAFACIAL'S ALLEGRO DELIVERY SYSTEM

Sources and Notes:
Ex. 2032 ("Hydrafacial Allegro MD, Instructions for Use"), p. 8.

23. The next generation of HydraFacial's Delivery System was the Elite Delivery System ("Elite"), which was launched in 2016.[24] Relative to the Allegro, the Elite was larger and offered ancillary add-on features such as LED light therapy.[25]

[24] Ex. 2142 (The Beauty Health Company 2022 10-K), p. 10.
[25] Ex. 2045 (HydraFacial Elite Advertisement), p. 6.

FIGURE 5: EXEMPLARY IMAGE OF HYDRAFACIAL'S ELITE DELIVERY SYSTEM

HydraFacial™ MD Elite

Sources and Notes:
Ex. 2046 (HydraFacial Elite Advertisement).

24. The current iteration of HydraFacial's Delivery System is the Syndeo, which was launched in March 2022 in the U.S.[26] The Syndeo builds on the Elite with additional ancillary features such as Wi-Fi connectivity and data collection ability.[27]

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[26] Ex. 2142 (The Beauty Health Company 2022 10-K), p. 10.

[27] *Id.*

FIGURE 6: EXEMPLEARY IMAGE OF HYDRAFACIAL'S SYNDEO DELIVERY SYSTEM

Sources and Notes:
Ex. 2142 (The Beauty Health Company 2022 10-K), p. 10.

25. In FY2022, Beauty Health reported $365.9 million in global net sales revenues, $206.2 million (or 56 percent) of which were from sales of *Delivery Systems*; and $159.6 million (or 44 percent) of which were from *Consumables*.[28] In FY2023, Beauty Health's total global net sales revenue increased by 9 percent to $398 million, with Delivery Systems and Consumables reporting $206.6 million (or 52 percent) and $191.4 million (or 48 percent) in net sales revenues, respectively.[29]

IV. Commercial Success of the HydraFacial Practicing Systems

26. It is my understanding that the commercial success of a product that practices a patent is one factor that is relevant to determining whether inventions claimed in that patent would have been obvious to a person of ordinary skill in the art at the time of

[28] Ex. 2140 (The Beauty Health Company 2023 10-K), p. 72.
[29] Ex. 2140 (The Beauty Health Company 2023 10-K), p. 72.

the invention. It is my further understanding that commercial success is typically shown by significant sales and revenue of products practicing the claimed invention.[30]

27. Also, it is my understanding that a nexus must exist between the commercial success and the merits of the inventions claimed in the patent at issue. Although I understand from HydraFacial's technical expert, Mr. Karl Leinsing, that there is a nexus between the commercial success of the products practicing the '052 patent and the merits of the inventions claimed in the '052 patent, I am not offering any technical opinions on whether a nexus exists.[31]

28. In analyzing whether a product practicing the patented technology has been commercially successful, I considered economic factors, including unit sales, revenue, and market share.

IV.A. Significant Unit Sales and Revenues of Products Practicing the '052 Patent

29. As discussed below, and as supported by data discussed in this report, it is my opinion that HydraFacial Practicing Systems (Tower, Allegro, Elite, and Syndeo Delivery Systems)—all of which I understand from Mr. Leinsing practice the '052 Patent—have been commercially successful.[32]

30. Historical data produced by HydraFacial in this IPR provides evidence of increasing unit sales and revenues of the HydraFacial Practicing Systems, worldwide. **Figure**

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[30] *Polaris Indus., Inc. v. Arctic Cat, Inc.*, 882 F.3d 1056, 1071-72 (Fed. Cir. 2018); *WBIP, LLC v. Kohler Co.*, 829 F.3d 1317, 1337 (Fed. Cir. 2016).

[31] Conversation with Mr. Leinsing, October 15, 2025.

[32] Conversation with Mr. Leinsing, October 15, 2025.

7 below shows the trend from 2005 to 2023 in worldwide net unit sales and net revenues of the HydraFacial Practicing Systems.[33] Sales of the HydraFacial Practicing Systems have been increasing across all years, with revenues having increased on average by [redacted] annually between 2005 and 2023.[34] The release of the Elite Delivery System in 2016, and the Syndeo Delivery System in 2022, were accompanied with a [redacted] and [redacted] increase in worldwide net sales revenues from Delivery Systems by HydraFacial, respectively.[35]

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[33] When analyzing commercial success, it is my understanding that I am allowed to consider worldwide sales. See, e.g., *Lindemann Maschinenfabrik GMBH v. American Hoist and Derrick Co.*, 730 F.2d 1452, 1461 ("The district court improperly discounted the weight due the evidence of commercial success because that success occurred abroad. A showing of commercial success of a claimed invention, wherever such success occurs, is relevant in resolving the issue of nonobviousness.").

[34] Ex. 2010 [redacted].

[35] Ex. 2010 [redacted].

FIGURE 7: WORLDWIDE NET UNIT SALES AND NET SALES REVENUES OF HYDRAFACIAL PRACTICING SYSTEMS (2005-2023)

[redacted]

Sources and Notes:
Ex. 2010 ("Summary of HF Equipment Sales 2005-2024"). Net units sold and revenue are reported.

31. **Table 1** below shows the total net sales revenues by HydraFacial Practicing System from 2005 to Q2 2024. During its product cycle from 2005 to 2023, net worldwide sales revenues from the Tower, were nearly [redacted]. Net worldwide sales revenues from the Allegro, Elite, and Syndeo from each of their first offering for sale until June 2024, totalled over [redacted].[36]

[36] **Table 1**. [redacted].

TABLE 1: NET WORLDWIDE SALES REVENUES BY HYDRAFACIAL PRACTICING SYSTEM (2005 TO JUNE 2024)

	Model Name	Period	Worldwide Revenues
	[A]	[B]	[C]
[1]	Tower	2005 - 2023	$ [redacted]
[2]	Allegro	2012 - Q2 2024	$ [redacted]
[3]	Elite	2016 - Q2 2024	$ [redacted]
[4]	Syndeo	2022 -Q2 2024	$ [redacted]
[5]	**Total**	**2005 - Q2 2024**	**$** [redacted]

Sources and Notes:
Ex. 2010 ("Summary of HF Equipment Sales 2005-2024"). Net revenues are reported.

IV.B. Significant Market Share of Products Practicing the '052 Patent

32. Prior to the entry of the HydraFacial Delivery Systems, microdermabrasion was commonly used as a skin treatment technique.[37] However, microdermabrasion involved propelling abrasive particles at the skin to remove the outer layer of the epidermis, which is messy and may often be painful for some patients.[38] In fact, there is little demand anymore for standard microdermabrasion despite it being a cheaper option than HydraFacial treatments. For example, in the leading industry magazine Allure, in a March 2018 article titled: Why Microdermabrasion Treatments Are on the Decline, dermatologists explained that "newer takes on microdermabrasion, such as the HydraFacial, are rendering the traditional treatment

[37] Ex. 2013 (Kempiak, et al. Superficial Chemical Peels and Microdermabrasion for Acne Vulgaris, Senin Cutan Med Surg, 27:212-220 (2008)) at 219.

[38] Ex. 2013 (Kempiak, et al. Superficial Chemical Peels and Microdermabrasion for Acne Vulgaris, Senin Cutan Med Surg, 27:212-220 (2008)) at 219. Ex. 2012 (Loesch, et al., Skin Resurfacing Procedures: New and Emerging Options, Clinical Cosmetic, and Investigational Dermatology, 2014:7, 231-241) at 238.

outdated."[39] According to a plastic surgeon interviewed in the article "…there's been such a great evolution in peels and treatments like the HydraFacial, that I wouldn't go back to it and recommend it over other options."[40]

33. HydraFacial created the market for hydrodermabrasion and is regarded as the hydrodermabrasion market leader. As HydraFacial stated in an SEC filing, "HydraFacial created the category of hydradermabrasion with its patented delivery system ('Delivery System') that cleanses, extracts, and hydrates the skin with proprietary solutions and serums."[41] In another SEC filing, HydraFacial stated: "Using our patented Delivery System to cleanse, extract, and hydrate the skin with proprietary solutions and serums, Hydrafacial created the category of hydradermabrasion."[42] HydraFacial's leadership in the market is backed by market share data. In 2024, HydraFacial held a [redacted] share of sales and a [redacted] share of visits in a market defined broadly to include microdermabrasion.[43] Thus, HydraFacial not only created the hydrodermabrasion market, but has also essentially supplanted microdermabrasion in the market with over [redacted] of the market share in that category.

34. Moreover, growth of the HydraFacial Practicing Systems, as measured by global net revenues, significantly outpaced the growth of the global beauty industry. For example, starting in 2012 (when the Allegro Delivery System was first made

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[39] Ex. 2139 (Mackenzie, Macaela, "Why Microdermabrasion Treatments Are on the Decline, According to Dermatologists," Allure, March 26, 2018, accessed January 23, 2025, https://www.allure.com/story/microdermabrasiontreatment-decline-in-popularity).

[40] *Id.*

[41] Ex. 2140 (The Beauty Health Company 2023 10-K), p. 7.

[42] Ex. 2142 (The Beauty Health Company 2022 10-K), p. 8.

[43] Ex. 2145 [redacted].

available for sale) to 2023, the global cosmetics market had a compound annual growth rate ("CAGR") of approximately 4 percent.[44] Over that same time period revenues from the HydraFacial Practicing Systems (Allegro, Elite, and Syndeo) had a CAGR of [redacted].[45] Similarly, growth as measured by global net revenues from Practicing Products (DI Products and the Tower Delivery System) had a CAGR of [redacted] over this time period.[46]

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[44] Ex. 2144. L'Oreal, "Annual growth of the global cosmetics market from 2000 to 2023," Statista, March 2024, accessed August 21, 2025, https://www.statista.com/statistics/297070/growth-rate-of-the-global-cosmetics-market/. "The compound annual growth rate (CAGR) is the annualized average rate of revenue growth between two given years, assuming growth takes place at an exponentially compounded rate." See "Compound Annual Growth Rate," Gartner, accessed August 21, 2025, https://www.gartner.com/en/information-technology/glossary/cagrcompound-annual-growth-rate. I multiply the annual growth rates from 2013 to 2023 (3.8%, 3.6%, 3.9%, 4%, 4.9%, 5.5%, 5.25%, -8%, 8%, 6%, and 8%) to calculate the total growth of 54% and take the 11th root of this value plus 100 percent to calculate the CAGR of 4%. Note that although this data does not include absolute revenues, using the annual growth rates starting in 2013 allows me to calculate the CAGR from an arbitrary baseline in 2012.

[45] Ex. 2010 [redacted]. Note that the highest growth rate observed for the global cosmetics market is 8% in 2021 and 2023. See Ex. 2144. L'Oreal, "Annual growth of the global cosmetics market from 2000 to 2023," Statista, March 2024, accessed August 21, 2025, https://www.statista.com/statistics/297070/growth-rate-of-the-global-cosmetics-market/.

[46] Ex. 2010 [redacted].

IV.C. Significant Sales of Product Practicing the ’052 Patent Relative to Non-Practicing Products

35. The HydraFacial Practicing Systems have commanded higher sales relative to HydraFacial’s Delivery System Product—the Nectre—that does not practice the ’052 Patent (“Non-Practicing Product”).[47]

36. The Nectre Delivery System was first introduced for sale in 2006. I understand that the Nectre was a tabletop single container Delivery System.[48]

FIGURE 8: EXEMPLARY PICTURE OF HYDRAFACIAL’S NECTRE DELIVERY SYSTEM

Sources and Notes:
Ex. 2036 (HydraFacial Nectre System, User Manual)

37. **Figure 9** below shows the worldwide net sales revenues from the sales of the HydraFacial Practicing Systems, along with Nectre’s worldwide net sales revenues during the Nectre’s product life cycle from 2006 to 2013.[49] While the Tower

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[47] I understand from Mr. Leinsing that the Nectre does not practice the ’052 patent. Conversation with Mr. Leinsing, October 15, 2025. See **Section III.C**.

[48] Conversation with Mr. Leinsing, October 15, 2025.

[49] For purposes of the analysis in this figure, I define the Nectre’s product life cycle as the period in which Nectre reported non-zero net revenues.

Delivery System was first offered for sale in 2005, the Allegro Delivery System was first offered for sale in 2012.[50] From 2006 to 2013, the total worldwide net sales revenues for the Nectre were approximately [redacted], and for the Tower and Allegro were [redacted] and [redacted], respectively.[51]

FIGURE 9: WORLDWIDE NET REVENUES FROM THE NECTRE AND HYDRAFACIAL PRACTICING SYSTEMS (TOWER AND ALLEGRO) (2006-2013)

[redacted]

Sources and Notes:

Ex. 2010 ("Summary of HF Equipment Sales 2005-2024"). Net revenues are reported.

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[50] See, **Table 1** above.

[51] Ex. 2010 [redacted].

38. The Nectre Delivery System, which HydraFacial sold from 2006 to 2013, had a CAGR of negative [redacted] during its lifecycle (2006-2013).[52] Over the same time period, the Practicing Product—Tower, had a CAGR of [redacted].[53]

39. I declare that all statements made herein on 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,

Pallavi Seth, Ph.D.

October 15, 2025

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[52] Ex. 2010 [redacted].

[53] Ex. 2010 [redacted].

Exhibit 1

PALLAVI SETH
Principal
Co-Chair Intellectual Property Practice

Washington, DC | +1.202.955.5050 | Pallavi.Seth@brattle.com

Dr. Pallavi Seth has extensive experience in the areas of intellectual property and economic policy. She has assisted counsel for leading technology companies; trade associations; and government agencies.

She has provided expert testimony and consulted in intellectual property matters involving allegations of patent infringement, false advertising, and misappropriation of trade secrets. She has served as an expert witness on damages issues in district courts and in Section 337 investigations at the United States International Trade Commission (ITC). She has aided leading companies in over 70 intellectual property matters.

Before the ITC, Dr. Seth has testified on a range of economic issues, such as domestic industry, remedy, bonding, commercial success, public interest, and economic injury. She has also supported leading academic experts, including Nobel Laureate Joseph Stiglitz, in these matters.

Dr. Seth has significant expertise in evaluating economic injury and economic damages from misappropriation of trade secrets. She is a thought-leader and has been invited to speak at the USPTO and WIPO on topics related to theft of trade secrets.

Dr. Seth has assisted counsel for government agencies, trade associations, and leading technology companies, including Intel, Apple, Hewlett-Packard, Samsung, Sony, Nokia, Lenovo, Macronix, LG, and Garmin. Her industry expertise includes high-tech and consumer products—such as semiconductors, flash memory devices, liquid crystal display (LCD) panels, smartphones, computers, and medical devices—as well as financial institutions and the automotive, pharmaceutical, commercial machinery and heavy equipment, and gaming industries.

In addition to her expertise in intellectual property matters, Dr. Seth is experienced in applying the tools of economic analysis to policy questions and has performed numerous policy analyses across various industries. She assisted the Office of the Governor of Massachusetts in evaluating the proposed plan for hosting the Olympic Games and the economic impacts of hosting the Games on the Commonwealth.

She is the Former Chair of the ABA-IPL ITC Committee and a frequent speaker at conferences and CLE events. She is the Co-Chair of Brattle's Intellectual Property Practice.

She received her Ph.D. in Economics from Boston College, with a focus in Industrial Organization, Applied Econometrics, and International Trade. She received an A.B. in Economics and Mathematics (double major) *magna cum laude* from Mount Holyoke College.

AREAS OF EXPERTISE

- Intellectual Property
- Economic Impact Analysis
- Technology and Telecommunications

EXPERIENCE

Intellectual Property - ITC

- *Certain Video-Capable Laptop, Desktop Computers, Handheld Computers, Tablets, Televisions, Projectors, and Components and Modules Thereof*, Inv. No. 337-TA-1448. Nokia Corporation and Nokia Technologies Oy v. Acer America Corporation, Acer Inc., ASUSTeK Computer Inc., ASUS Computer International, Hisense Co., Ltd., Hisense USA Corporation, and Hisense Electronics Manufacturing Company of America Corporation. Retained by Respondents. Designated as an expert to opine on economic matters related to domestic industry, public interest, and remedy.
- *Certain Polyvinylidene Fluoride Resins*; Inv. No. 337-TA-1439. Solvay Specialty Polymers, USA LLC.; Syensqo SA; and Solvay Specialty Polymers v. Sinochem Lantian Co., Ltd.; Inner Mongolia 3F Wanhao Fluorochemical Industry Co. Ltd.; Zhejiang Juhua Co., Ltd; Zhejiang Fluorine Chemical New Material Co. Ltd.; and Hubei Fluorine New Materials Co., Ltd. Retained by Juhua Respondents. Designated as an expert to opine on economic matters.
- *Certain Mobile Electronic Devices*, Inv. No. 337-TA-1432. Maxell Ltd. v. Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. Retained by Respondents. Designated as an expert to opine on economic matters. Provided rebuttal report, and deposition testimony.
- *Certain Hydrodermabrasion Systems and Components Thereof*, Inv. No. 337-TA-1417. HydraFacial LLC f/k/a Edge Systems LLC v. Luvo Medical Technologies et al. Retained by Complainant. Provided opening expert report, and rebuttal expert report.
- *Certain Hydrodermabrasion Systems and Components Thereof*, Inv. No. 337-TA-1408. HydraFacial LLC f/k/a Edge Systems LLC v. Cartessa Aesthetics, LLC and Ensung Global Corp. Retained by Complainant. Provided opening expert report, rebuttal expert report, deposition and trial testimony.
- *Certain Wireless Front-End Modules, Devices Containing the Same and Components Thereof*, Inv. No 337-TA-1413. Skyworks Solutions, Inc., Skyworks Solutions Canada, Inc., and Skyworks Global Pte. Ltd. v. Kangxi Communication Technologies (Shanghai) Co., Ltd., Grand Chip Labs, Inc., D-Link Corporation, D-Link Systems Inc., and Ruijie Networks Co., Ltd. Retained by

Respondent to opine on economic matters related to domestic industry, EPROMs, remedy and public interest.

- *Certain Vehicle Telematics, Fleet Management, and Video-Based Safety Systems, Devices, and Components Thereof*, Inv. No. 337-TA-1393. Samsara Inc. v. Motive Technologies Inc. Retained by Respondent to opine on economic matters. Provided opening expert report, rebuttal expert report, deposition and trial testimony.
- *Certain Cellular Base Station Communication Equipment, Components Thereof and Products Containing the Same*, Inv. No. 337-TA-1388. Retained by Complainant. Motorola Mobility LLC v. Ericsson AB, Telefonaktiebolaget LM Ericsson, and Ericsson Inc. Designated as an expert to opine on economic matters related to public interest.
- *Certain Vaporizer Devices, Cartridges Used Therewith, and Components Thereof*, Inv. No. 337-TA-1372. NJOY LLC v. JUUL Labs, Inc. Retained by Respondent to opine on economic matters. Provided opening expert report, deposition testimony, and trial testimony.
- *Certain Power Converter Modules and Computing Systems Containing the Same*, Inv. No. 337-TA-1370. Vicor Corporation v. Delta Electronics; Cyntec Co.; Quanta Computer; Hon Hai Precision Industry; Foxconn Industrial Internet Co; and Ingrasys Technology. Retained by Complainant to opine on economic matters related to domestic industry and remedy. Provided expert report, deposition testimony and trial testimony.
- *Certain Active Matrix Organic Light-Emitting Diode Display Panels and Modules for Mobile Devices, and Components Thereof*, Inv. No. 337-TA-1351. Samsung Display Co. Ltd. v. Apt-Ability, LLC; DFW Imports LLC; Electronics Universe, Inc.; eTech Parts Plus, LLC; Gadgetfix Corp.; Injured Gadgets, LLC; LCTech International Inc.; Parts4Cells, Inc., Parts4LCD and Phone LCD Parts LLC; Wholesale Gadget Parts, Inc; and Mianyang BOE Optoelectronics Co., Ltd. Retained by Complainant to opine on economic matters related to public interest.
- *In the Matter of Certain Automated Retractable Vehicle Steps and Components Thereof*, Inv. No. 337-TA-1345. Lund Motion Products, Inc. v. Anhui Aggeus Auto Tech; Parts Co. Lt.; Rough Country LLC; Southern Truck LLC; Meyer Distributing Inc; and Earl Owen Company. Designated as an expert to opine on economic matters related to domestic industry and remedy.
- *Certain Cabinet X-Ray and Optical Camera Systems and Components Thereof*, Inv. No. 337-TA-1348. KUB Technologies, Inc. v. Dilon Technologies, Inc.; CompAI Healthcare (Shenzhen) Co., Ltd. et al. Retained by Complainant. Designated as an expert to opine on economic matters related to domestic industry and remedy.
- *Certain Rotating 3-D Lidar Devices, Components Thereof, and Sensing Systems Containing the Same*, Inv. No. 337-TA-1322. Velodyne Lidar USA, Inc. v. Ouster, Inc. and Benchmark Electronics

Inc. Retained by Complainant. Designated as an expert to opine on economic matters related to domestic industry and remedy.

- *Certain Interactive Fitness Products Including Stationary Exercise Bikes, Treadmills, Elliptical Machines, and Rowing Machines and Components Thereof*, Inv. No. 337-TA-1310. Peloton Interactive Inc. v. ICON Fitness Corp; IHF Holdings Inc., iFIT Inc., NoridcTrack Inc., Free Motion Fitness Inc. Retained by Complainant. Designated as an expert to opine on economic matters related to domestic industry.
- *Certain Knitted Footwear*, Inv. No. 337-TA-1289. Nike, Inc. v. adidas AG, adidas North America, Inc., and adidas America, Inc. Retained by Respondents. Designated as an expert to opine on economic matters related to domestic industry, remedy, bond, and commercial success.
- *Certain Replacement Automotive Lamps*, Inv. No. 337-TA-1291. Kia Corporation and Kia America, Inc. v. TYC Brothers Industrial Co., Ltd.; Genera Corporation d/b/a TYC Genera; LKQ Corporation; and Keystone Automotive Industries, Inc. Retained by Complainants. Designated as an expert to opine on economic matters related to domestic industry and commercial success.
- *Certain Replacement Automotive Lamps II*, Inv. No. 337-TA-1292. Hyundai Motor Company and Hyundai Motor America, Inc. v. TYC Brothers Industrial Co., Ltd.; Genera Corporation d/b/a TYC Genera; LKQ Corporation; and Keystone Automotive Industries, Inc. Retained by Complainants. Designated as an expert to opine on economic matters related to domestic industry and commercial success.
- *Certain Silicon Photovoltaic Cells and Modules With Nanostructures, and Products Containing the Same*, Inv. No. 337-TA-1271. Advanced Silicon Group Technologies, LLC v. Canadian Solar, Hanwha, Boviet et al. Retained by Complainant. Designated as an expert to opine on economic matters related to domestic industry, remedy, and bond.
- *Certain Automated Storage and Retrieval Systems, Robots, And Components Thereof*, Inv. No. 337-TA-1228. AutoStore Technology AS and AutoStore AS v. Ocado Group Plc et. al.; Tharsus Group Ltd.; and Printed Motorworks Ltd. Retained by Respondents. Designated as an expert to opine on economic matters related to domestic industry, remedy, and bond.
- *Certain Routers, Access Points, Controllers, Networks Management Devices, Other Networking Products, and Hardware and Software Components Thereof*, Inv. No. 337-TA-1227. Q3 Networking LLC v. CommScope Holding Company, Inc., CommScope, Inc.; ARRIS US Holdings, Inc.; RUCKU Wireless, Inc.; Hewlett Packard Enterprise Co; Aruba Networks, Inc.; and Netgear, Inc. Retained by Respondents to opine on economic matters related to domestic industry, remedy and bond.

- *Certain Filament Lightemitting Diodes and Products Containing Same (II)*, Inv. No. 337-TA-1220. The Regents of the University of California v. Feit Electric Company, Inc.; Home Depot et. al.; IKEA et.al.; Consumer Lighting (U.S.) LLC; Savant Systems, Inc.; General Electric; and Satco Products, Inc. Retained by Complainant. Submitted expert report on domestic industry. Provided deposition and trial testimony.
- *Certain Electronic Devices with Optical Filters and Optical Sensor Systems and Components Thereof*, Inv. No. 337-TA-1187. Viavi Solutions, Inc. v. Optrontec Inc.; and LG Electronics, Inc., and LG Innotek Co., Ltd.; LG Electronics U.S.A., Inc. Designated as an expert by Complainant to opine on economic matters related to domestic industry and remedy.
- *Certain Toner Cartridges, Components Thereof, and Systems Containing Same*, Inv. No.337-TA-1174. Brother Industries, Ltd.; Brother International Corporation; and Brother Industries, Inc. v. Aster Graphics, Inc. et al. Designated as an expert by Complainant to opine on economic matters related to domestic industry and remedy.
- *Certain Rotating 3-D LiDAR Devices, Components Thereof, and Sensing Systems Containing the Same*, Inv. No. 337-TA-1173. Velodyne lidar, Inc. v. Hesai Photonics Technology Co., Ltd. and Suteng Innovation Technology Co., Ltd. Designated as an expert by Complainant to opine on economic matters related to domestic industry and remedy. Submitted expert report on domestic industry, commercial success, and bonding.
- *Certain Child Carriers and Components Thereof,* Inv. 337-TA-1154. LILLEbaby LLC v. BabyBjorn AB and BabyBjorn Inc.; Baby Tula a/k/a New Baby Tula LLC; The Ergo Baby Carrier Inc.; Blue Box OpCo LLC d/b/a Infantino. Retained by Respondents. Submitted rebuttal expert report on domestic industry and bonding. Provided deposition and trial testimony.
- *Certain Blood Separation and Cell Preparation Devices*, Inv. No. 337-TA-1147. RegenLab USA v. Estar Technologies, Ltd. and Eclipse MedCorp., LLC. Designated as an expert by Respondents to opine on economic matters related to domestic industry.
- *Certain Botulinum Toxin Products*, *Processes for Manufacturing or Relating to Same and Certain Products Containing Same*, Inv. No. 337-TA-1145. Medytox Inc.; Allergan plc; and Allergan, Inc. v. Daewoong Pharmaceuticals Co., Ltd., and Evolus, Inc. Designated as an expert by Respondents to opine on economic matters related to domestic industry and economic injury.
- *Certain Unmanned Aerial Vehicles and Components Thereof*, Inv. No. 337-TA-1133. Autel Robotics USA LLC v. SZ DJI Technology Co. Ltd., DJI Europe B.V., DJI Technology Inc., iFlight Technology Co. Ltd., DJI Baiwang Technology Co. Ltd., DJI Research LLC, DJI Service LLC, and DJI Creative Studio LLC. Designated as an expert by Respondents to opine on economic matters related to domestic industry.

- *Certain Water Filters and Components Thereof*, Inv. No. 337-TA-1126. Electrolux Home Products, Inc. and KX Technologies, LLC v. Ecolife Technologies, Inc.; Crystala Filters LLC; Shenzen Calux Purification technology Co.; Guangzhou Zhixun Xingyi Information; Ningbo Pureza Limited; JiangSu Angkua Environmental Technical Co., Ltd. Shenzen Dakon Purification tech Co., Ltd.; and HongKong Ecoaqua Co. Limited. Retained by Complainants. Designated as an expert to opine on economic matters related to domestic industry. Submitted expert report (and expert affidavit) on domestic industry and remedy (general exclusion order).
- *Certain Height-Adjustable Desk Platforms and Components Thereof,* Inv. No. 337-TA-1125. Retained by Complainant Varidesk LLC. Designated as an expert to opine on economic matters related to domestic industry. Submitted expert report on domestic industry, and expert affidavit in support of motion for summary determination regarding economic domestic industry.
- *Certain Clidinium Bromide and Products Containing Same*, Inv. No. 337-TA-1109. Valeant Pharmaceuticals North America LLC and Valeant Pharmaceuticals International, Inc. v. ECI Pharmaceuticals LLC; and Virtus 1.Pharmaceuticals, LLC, and Virtus Pharmaceuticals OPCO II, LLC. Retained by Respondents. 100-days proceeding. Designated as an expert to opine on economic matters related to domestic industry. Submitted expert report on domestic industry. Provided deposition and trial testimony.
- *Certain Thermoplastic-Encapsulated Electric Motors, Components Thereof, and Products and Vehicles Containing Same*, Inv. No. 337-TA-1073. Intellectual Ventures II LLC v. Aisin Holdings of America, Inc.; Aisin Technical Center of America, Inc.; and Aisin World Corporation of America; Bayerische Motoren Werke AG; BMW of North America, LLC; and BMW Manufacturing Co., LLC; Denso Corporation; and Denso International America, Inc.; Honda Motor Co., Ltd.; Honda North America, Inc.; American Honda Motor Co., Inc.; Honda of America Mfg., Inc.; Honda Manufacturing of Alabama, LLC; and Honda R&D Americas, Inc.; Mitsuba Corporation; and American Mitsuba Corporation; Nidec Corporation; and Nidec Automotive Motor Americas, LLC; Toyota Motor Corporation; Toyota Motor North America, Inc.; Toyota Motor Sales, U.S.A., Inc.; Toyota Motor Engineering & Manufacturing North America, Inc.; Toyota Motor Manufacturing, Indiana, Inc.; and Toyota Motor Manufacturing, Kentucky, Inc. Retained by Respondents. Designated as an expert to opine on economic matters related to public interest. Submitted expert report on public interest. Provided deposition and trial testimony.
- *Certain Solid State Storage Drives, Stacked Electronics Components, and Products Containing Same,* Inv. 337-TA-1097, BiTMICRO LLC v. Samsung Electronics Co., Ltd., Samsung Semiconductor, Inc., and Samsung Electronics America, Inc.; SK Hynix Inc., and SK Hynix America Inc.; Dell Inc., and Dell Technologies Inc.; Lenovo Group Ltd., and Lenovo (United States)

Inc.; HP Inc., and Hewlett Packard Enterprise Co.; ASUSTek Computer Inc., and ASUS Computer International; Acer Inc., and Acer America Corp.; VAIO Corp.; and Transcosmos America Inc. Retained by Complainant. Designated as an expert to opine on economic matters related to domestic industry.

- *Certain Graphic Systems*, Inv. No. 337-TA-1044. Advanced Micro Devices, Inc. and ATI Technologies ULC v. LG Electronics, Inc., LG Electronics USA, Inc., LG Electronics MobileComm USA, Inc., Vizio, Inc., MediaTek Inc., MediaTek USA Inc., and Sigma Designs, Inc. Retained by Complainant. Designated as an expert to opine on economic matters related to domestic industry, remedy, bond, and public interest.
- *Certain Electronic Devices, Including Mobile Phones, Tablet Computer, and Components Thereof*, Inv. No. 337-TA-1038 and 337-TA-1039. Nokia Technologies Oy v. Apple Computer, Inc. Retained by Complainant. Designated as an expert to opine on economic matters related to public interest.
- *Certain Flash Memory Devices,* Inv. No. 337-TA-1034. Memory Technologies LLC, v. SanDisk LLC, Western Digital Corp., Western Digital Technologies, Inc., SanDisk Limited, San Disk Storage Malaysia Sdn. Bhd., and SanDisk SemiConductor (Shanghai) Co., Ltd. Retained by Respondents to opine on economic matters related to domestic industry and remedy.
- *Certain Athletic Footwear*, Inv. No. 337-TA-1018. Reebok International Ltd. and Reebok International Limited v. TRB Acquisitions LLC, RBX, and Elite Performance Footwear, LLC. Retained by Complainants. Designated as an expert to opine on matters related to domestic industry, public interest, and remedy.
- *Certain Semiconductor Devices, Semiconductor Device Packages, and Products Containing Same*, Inv. No. 337-TA-1010. Tessera Technologies, Inc., Tessera, Inc., and Invensas Corp. v. Broadcom Limited, Broadcom Corp., Avago Technologies Limited, Avago Technologies U.S. Inc., Arista Networks, Inc., ARRIS International plc, ARRIS Group, Inc., ARRIS Technology, Inc., ARRIS Enterprises LLC, ARRIS Solutions, Inc., Pace Ltd., Pace Americas, LLC, Pace USA, LLC, ASUSTeK Computer Inc., ASUS Computer International, Comcast Cable Communications, LLC, Comcast Cable Communications Management, LLC, Comcast Business Communications, LLC, HTC Corp., HTC America, Inc., NETGEAR, Inc., Technicolor S.A., Technicolor USA, Inc., and Technicolor Connected Home USA LLC. Retained by Respondents. Designated as an expert to opine on domestic industry, public interest, and remedy. Submitted expert report on EPROMs, Remedy, and Bonding, supplemental expert report on EPROMs, and rebuttal expert report on EPROMs. Provided deposition and trial testimony.
- *Certain Beverage Brewing Capsules, Components Thereof, and Products Containing the Same*, Inv. No. 337-TA-929 (Enforcement Proceeding). Adrian Rivera and Adrian Rivera Maynez Enterprises,

Inc. v. Eko Brands, LLC and Espresso Supply, Inc. Retained by Respondent. Designated as an expert to opine on economic issues in the enforcement proceeding.

- *Certain Air Mattress Bed Systems and Components Thereof*, Inv. No. 337-TA-999. Select Comfort Corporation and Select Comfort SC Corporation v. American National Manufacturing, Inc., Dires, LLC d/b/a Personal Comfort Bed, Elements of Rest Inc., and Responsive Surface Technology LLC. Retained by Respondents, American National Manufacturing, Inc. and Dires LLC. Designated as an expert to opine on domestic industry, remedy and bond, the public interest, and other economic issues.
- *Certain Electrical Conductor Composite Cores and Components Thereof*, Inv. No. 337-TA-995. CTC Global Corp. v. Mercury Cable & Energy, Inc. d/b/a Mercury Cable & Energy LLC d/b/a Energy Technology International Company, Inc. and Shenzhen Zm Hesheng Power Development Co., Ltd. a/k/a Mercury Composite Co., Ltd. Retained by Complainant. Designated as an expert to opine on domestic industry, appropriate remedy, bonding, public interest, and secondary indicia of non-obviousness.
- *Certain Air Mattress Systems, Components Thereof and Methods of Using the Same*, Inv. No. 337-TA-971. Select Comfort Corporation and Select Comfort SC Corporation v. Sizewise Rentals, LLC, American National Manufacturing, Inc., and Dires, LLC d/b/a Personal Comfort Bed. Retained by Respondents. Submitted expert report on remedy, bonding, and public interest. Provided deposition and trial testimony.
- *Certain Activity Tracking Devices, Systems, and Components Thereof*, Inv. No. 337-TA-963. AliphCom d/b/a Jawbone and BodyMedia, Inc. v. Fitbit, Inc., Flextronics International Ltd., and Flextronics Sales & Marketing (A-P) Ltd. Retained by Complainant. Designated as an expert to opine on the validity of certain trade secrets and economic injury to Jawbone from misappropriation of trade secrets. Analyzed the validity of certain business trade secrets and economic injury to Jawbone from alleged misappropriation of trade secrets by respondents.
- *Certain Footwear Products*, Inv. No.337-TA-936. Designated as an expert on economic matters by Respondent, Skechers U.S.A., Inc.
- *Certain Devices Containing Non-Volatile Memory and Products Containing the Same*, Inv. No. 337-TA-922. Macronix International Co., Ltd. and Macronix America, Inc. v. Spansion, Inc., Spansion LLC, and Spansion (Thailand) Ltd., Aerohive Networks, Inc., Allied Telesisi, Inc., Ciena Corporation, Delphi Automotive PLC and Delphi Automotive Systems, LLC, Polycom, Inc., Ruckus Wireless, Inc., ShoreTel Inc., Tellabs, Inc. and/or Tellabs North America, Inc., and TiVo Inc. Retained by Complainant to evaluate the domestic industry requirement, determine the nature and scope of an exclusion order, appropriate amount of Respondent's bond, and impact of

proposed remedy on the public interest.

- *Certain Non-Volatile Memory Chips and Products Containing the Same,* Inv. No. 337-TA-916. Spansion LLC v. Macronix International Co., Ltd., Macronix America, Inc., Macronix Asia Limited, and Macronix (Hong Kong) Co., Ltd., Acer Inc. and Acer America Corporation, ADT Corporation, Amazon.com, Inc., ASRock Inc. and ASRock America, Inc., ASUSTek Computer Inc. and ASUS Computer International, D-Link Corporation and D-Link Systems, Inc., Leap Motion, Inc., Lowe's, Microsoft Corp., Nintendo Co., Ltd. and Nintendo of America, Inc., Sercomm Corporation, Vonage Holdings Corp., Vonage America Inc., and Vonage Marketing LLC. Retained by Respondents to evaluate the domestic industry requirement, determine the nature and scope of an exclusion order, appropriate amount of Respondent's bond, and impact of proposed remedy on the public interest.
- *Certain Wireless Devices, Including Mobile Phones And Tablets II*, Inv. No. 337-TA-905. Pragmatus Mobile, LLC v. Nokia Corp. (Nokia Oyj), Nokia, Inc., Samsung Electronics Co., Ltd. Samsung Electronics America, Inc., Samsung Telecommunications America, L.L.C., Sony Corp., Sony Mobile Communications AB, Sony Mobile Communications (USA), Inc., ZTE Corp., and ZTE (USA) Inc. Retained by Respondents to evaluate the domestic industry requirement.
- *Certain Crawler Cranes and Components Thereof, Inv. No. 337-TA-887.* Manitowoc Cranes, LLC (Manitowoc, WI) v. Sany Heavy Industry Co., Ltd. (China); Sany America, Inc., (Peachtree City, GA). Retained by Complainant to evaluate the domestic industry requirement and economic injury to the domestic industry from alleged misappropriation of trade secrets by Sany.
- *Certain Electronic Devices, Including Wireless Communication Devices, Tablet Computers, Media Players and Televisions, and Components Thereof, Inv. No. 337-TA-862.* Ericsson Inc. (Plano, Texas) and Telefonaktiebolaget LM Ericsson (Sweden) v. Samsung Electronics America, Inc. (Ridgefield Park, New Jersey), Samsung Telecommunications America LLC (Richardson, Texas), and Samsung Electronics Co., Ltd. (South Korea). Retained by Respondent to evaluate the domestic industry requirement.
- *Certain Products Containing Interactive Program Guide and Parental Control Technology*, *Inv. No. 337-TA-820.* Rovi Corporation; Rovi Guides, Inc. (f/k/a Gemstar-TV Guide International Inc..); United Video Properties, Inc.; Gemstar Development Corporation; and Index Systems, Inc. v. Vizio, Inc.; Haier Group Corp.; and Haier America Trading, LLC. Retained by Complainants. Designated as an expert on matters related to economic prong of the domestic industry requirement, determination of nature and scope of an exclusion order, and the appropriate amount of Respondent's bond.
- *Certain Microprocessors, Components Thereof, and Products Containing Same, Inv. No. 337-TA-781*. X2Y Attenuators, LLC v. Intel Corporation, Componentes Intel de Costa Rica S.A., Intel

Malaysian Sdn. Bhd, Intel (Philippines), Intel Products (Chengdu) Ltd., Intel Products (Shanghai) Ltd., Apple Inc., and Hewlett-Packard Company. Retained by Respondents to evaluate the impact of proposed remedy on the public interest. Assisted testifying expert, Prof. Joseph Stiglitz.

- *Certain Universal Serial Bus ("USB") Portable Storage Devices, including USB Flash Drives and Components Thereof, Inv. No. 337-TA-788.* Trek 2000 International Ltd., Trek Technology (Singapore) Pte. Ltd., and S-Com System (S) Pte. Ltd. v. Imation Corporation, IronKey, Inc., Kingston Technology Company, Inc., Patriot Memory, LLC, RITEK Corporation, Advanced Media, Inc./RITEK USA, Verbatim Corporation, Inc., and Verbatim Americas, LLC. Retained by Complainant to evaluate the domestic industry requirement.
- *Certain Flash Memory Chips and Products Containing the Same, Inv. No. 337-TA-735.* Spansion LLC v. Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., Samsung International, Inc., Samsung Semiconductor Inc., Samsung Telecommunications America, LLC, Apple, Inc., Nokia Corp., Nokia Inc., PNY Technologies, Inc., Research in Motion Ltd., Research in Motion Corporation, and Transcend Information Inc., Transcend Information Inc. (US), Transcend Information Inc. (Shanghai Factory). Retained by Respondents. Evaluated EPROMs factors to determine whether proposed remedy should extend to downstream products containing infringing articles.
- *Certain Adjustable-Height Beds and Components Thereof, Inv. No. 337-TA-734.* Invacare Corporation v. Medical Depot, Inc. d/b/a Drive Medical Design and Manufacturing and Shanghai Shunlong Physical Therapy Equipment Co., Ltd. Retained by Medical Depot, Inc., d/ba/ Drive Medical Design and Manufacturing to evaluate the impact of proposed remedy on the public interest, nature of remedy, and respondent's bond.
- *Certain Large Scale Integrated Circuit Semiconductor Chips and Products Containing the Same, Inv. No. 337-TA-716*. Panasonic Corporation v. Freescale Semiconductor Inc., Freescale Semiconductor Japan Ltd., Freescale Qiangxin (Tianjin) IC Design Co. Ltd., Freescale Semiconductor (China) Ltd., Freescale Semiconductor Singapore Pte. Ltd., and Freescale Semiconductor Taiwan Ltd and retailers/downstream parties Mouser Electronics, Inc., and Motorola Inc. Retained by Complainant to evaluate the domestic industry requirement and EPROMs factors to determine whether proposed remedy should extend to downstream products containing infringing articles.
- *Certain Multimedia Display and Navigation Devices and Systems, Components Thereof, and Products Containing Same, Inv. No. 337-TA-694.* Pioneer Corporation and Pioneer Electronics (USA) v. Garmin Corporation, Garmin International, Inc., and Honeywell International, Inc. Retained by Garmin Corporation and Garmin International, Inc. to evaluate the domestic industry

requirement.

- *Certain DC-DC Controllers and Products Containing Same, Inv. No. 337-TA-698.* Richtek Technology Corporation and Richtek USA, Inc. v. uPI Semiconductor Corp., Advanced Micro Devices, Inc., Sapphire Technology Limited, Diamond Multimedia, Inc., XFX Technology, Inc., Micro-Star International Co., Ltd., MSI Computer Corp., and VisionTek Products LLC. Retained by Complainants. Evaluated domestic industry requirement and EPROMs factors to determine whether proposed remedy should extend to downstream products containing infringing articles. In addition, evaluated economic injury to Complainant from misappropriation of trade secrets by the Respondents.
- *Certain Video Displays, Components Thereof, and Products Containing Same, Inv. No. 337-TA-687.* LG Electronics v. Vizio, Inc., AmTRAN Technology Co. Ltd. and AmTRAN Logistics, Inc. Retained by Complainants to evaluate the domestic industry requirement.
- *Hybrid Electric Vehicles and Components, Inv. No. 337-TA-688.* Paice LCC v. Toyota Motor Corporation, Toyota Motor North America, Inc., and Toyota Motor Sales, U.S.A., Inc. Retained by Complainants to evaluate the impact of proposed remedy on the public interest.
- *Certain Short Wavelength Semiconductor Lasers and Products Containing the Same, Inv. No. 337-TA-627.* Seoul Semiconductor Company, Ltd. v. Nichia Corporation, Hitachi, Ltd., Hitachi America, Ltd. Panasonic Communications Co., Ltd. Matsushita Electric Industrial Co., Ltd., and LaCie Ltd. Retained by Respondent Nichia Corporation. Evaluated EPROMs factors to determine whether proposed remedy should extend to downstream products containing infringing articles.
- *Certain Refrigerators and Components Thereof, Inv. No. 337-TA-632.* Whirlpool Patents Company, Whirlpool Manufacturing Corporation, Whirlpool Corporation, and Maytag Corporation v. LG Electronics, Inc., LG Electronics USA, Inc., and LG Electronics Monterrey Mexico, S.A., De, CV. Retained by Complainants. Evaluated domestic industry requirement and established commercial success.
- *Certain Liquid Crystal Display Devices and Products Containing Same, Inv. No. 337- TA-631.* Samsung Electronics Company, Ltd. v. Sharp Corporation, Sharp Electronics Corporation, and Sharp Electronics Manufacturing. Retained by Complainant. Evaluated EPROMs factors to determine whether proposed remedy should extend to downstream products containing infringing articles.

Intellectual Property – Federal District Court

- XR Communications, LLC, dba Vivato Technologies v. AT&T Inc.; AT&T Services Inc.; AT&T Mobility LLC; and AT&T Corp. (Eastern District of Texas, Marshall Division). Retained by

Plaintiff. On behalf of Plaintiff, in a patent infringement lawsuit, lead Brattle team and assisted economic expert in evaluating damages related to base station technology and preparing for deposition. (2024-Ongoing)

- XR Communications, LLC, dba Vivato Technologies v. T-Mobile USA Inc. (Eastern District of Texas, Marshall Division). Retained by Plaintiff. On behalf of Plaintiff, in a patent infringement lawsuit, lead Brattle team and assisted economic expert in evaluating damages related to base station technology and preparing for deposition. (2024-Ongoing)
- XR Communications, LLC, dba Vivato Technologies v. Verizon Communications, Inc., Cellco Partnership d/b/a Verizon Wireless (Eastern District of Texas, Marshall Division). Retained by Plaintiff. On behalf of Plaintiff, in a patent infringement lawsuit, lead Brattle team and assisted economic expert in evaluating damages related to base station technology and preparing for deposition. (2024-Ongoing)
- Headwater Research LLC v. TMobile; Headwater Research LLC v. ATT; Headwater Research v. Verizon, (Eastern District of Texas, Marshall Division). Retained by Plaintiff. On behalf of Plaintiff, in a patent infringement lawsuit, lead Brattle team and assisted economic expert in evaluating damages and preparing for deposition and trial testimony. (2024-Ongoing)
- Demaray LLC v. Samsung Electronics Co. Ltd., C.A. No. 6:20-cv-00636-ADA. Retained by Defendant. On behalf of Samsung Electronics, in a patent infringement lawsuit, lead Brattle team and assisted economic expert in evaluating damages related to multi-core processing systems, drafting his expert report, and preparing for deposition and trial testimony. (2023-2024)
- Wirtgen America, Inc. v. Caterpillar, Inc., C.A. No. 17-770-RGA (USDC Delaware). Retained by Plaintiff. Retained as an expert to opine on economic damages. Provided opening expert report, rebuttal expert report, reply expert report, supplemental expert reports, deposition testimony, trial testimony, and declaration. (2021-2024)
- PACT XXP Schweiz AG v. Intel Corporation, C.A. No. 19-1006-JDW (USDC Delaware). Retained by Respondent. On behalf of Intel Corporation, in a patent infringement lawsuit, lead Brattle team and assisted economic expert in evaluating damages related to multi-core processing systems, drafting his expert report, and preparing for testimony. (2022-2024)
- Ocado Innovation Ltd. and Ocado Solutions Ltd. v. AutoStore AS and AutoStore System Inc., Case No. 1:21-CV-00041-JL (USDC New Hampshire). Retained by Complainant. Prepared preliminary injunction analysis. (2020-2021)
- Genuine Enabling Technology LLC v. Sony Corporation and Sony Interactive Entertainment LLC, Case No. 1:17-CV-00135 (USDC Delaware). Retained by Respondent. Retained as an expert to

opine on economic damages. Provided expert report and deposition testimony. (2020-Ongoing)

- Finish Time Holdings, LLC v. Garmin International, Inc. Civil Action No. 2:20-CV-00184 (USDC Maine). Retained by Respondent. Retained as an expert to opine on economic damages. (2020)
- In the Matter of Warsaw Orthopedic, Inc. (Plaintiff) v. Nuvasive, Inc. (Defendant), NuVasive (Counterclaimant) v. Medtronic Sofamor Danek USA, Inc.; Warsaw Orthopedic, Inc.; Medtronic Puerto Rico Operations Co.; and Medtronic Sofamor Danek Deggendorf, GMBH (Counterclaim Defendants), Case No. 3:08-CV-01512-MMA-AJB, and Remand Proceedings, 08-CV-01512-CAB (MDD). Working on behalf of a major manufacturer of medical devices, Medtronic Sofamor Danek and Warsaw, involved in litigation over infringement of a number of its key patents, lead Brattle team and assisted economic expert in drafting his report, evaluating damages arising from certain components of lost sales and computing reasonable royalty to compensate the Complainants for the infringement by NuVasive. The patents in question covered components used in spinal surgery. (2010-2011, 2015)
- In the matter of Berry Plastics Corporation v. Intertape Polymer Corporation, Case No. 3:10-CV-0076-RLY WGH. In a patent infringement lawsuit, retained by the Defendant, lead Brattle team and assisted economic expert in drafting his report, and evaluating damages related to complex commercial machinery. (2014)
- In the Matter of the Companies' Creditors Arrangement Act, R.S.C. 1985, c. C-36, As Amended, and in the Matter of a Plan of Compromise or Arrangement of Nortel Networks Corporation, Nortel Networks Limited, Nortel Networks Global Corporation, Nortel Networks International Corporation and Nortel Networks Technology Corporation United States Bankruptcy Court for the District of Delaware, Case No. 09-10138 (KG). Assisted economic expert in identifying the most appropriate method for allocating lockbox funds among the various Nortel estates based on Nortel's business model and operations and the nature of the assets that generated the funds, with a particular focus on Nortel's intellectual property. (2013-2014)
- In the matter of W.L. Gore & Associates, Inc., Plaintiff v. Darrell Long and BHA Group, Inc. (d/b/a GE Energy), Defendants, Case No. 4387-VCP. For a leading multinational corporation involved in litigation over misappropriation of trade secrets related to industrial filtration bags, lead Brattle team and assisted expert in drafting expert report, and analyzing the market structure of the industrial filtration bag industry to address related damages. (2011)
- LG Electronics U.S.A., Inc. and LG Electronics, Inc. v. and Whirlpool Corporation and Maytag Corporation, Civil Action No. 08-CV-234 (GMS), United States District Court for the District of Delaware. Retained by Defendants/Counterplaintiffs to evaluate the commercial success of the patented technology. Lead Brattle team and assisted expert in drafting expert report and analyzing

commercial success. (2009)

Other

- Coast Beacon Company et al v. Catfish Farmers of America et al. (International Chamber of Commerce, International Court of Arbitration). Retained by Respondents. (2023-2024)
- Marriott International Customer Data Security Breach Litigation, United States District Court for the District of Maryland, Southern Division, Case No. 8:19-CV-0654. Lead Brattle team and assisted testifying expert in analyzing whether the tax revenues of the City of Chicago collected during the period after data breach was higher or lower than what it would have collected in the same period but for the breach. Retained by the Class. (2021)
- *Phosphate Fertilizers from Morocco and Russia*, Inv. Nos. 701-TA-650-651 (Preliminary Phase). Retained by Respondents, EuroChem and PhosAgro.
- Epic Games Inc. v. Apple Inc. (USDC Northern District of California). On behalf of Epic Games assisted testifying expert in drafting his expert report in an antitrust dispute involving distribution of digital games and digital game transactions. (2020-2021)
- Analysis of the Boston 2024 Proposed Summer Olympic Plans. Prepared and co-authored a report for the Commonwealth of Massachusetts' Office of the Governor of Massachusetts, President of the Senate, and Speaker of the House evaluating Boston's bid to host the 2024 Summer Olympic Games. The report detailed the components of the bid, tested its assumptions to examine potential risks, evaluated who would have borne the responsibility if any adverse risks had been realized, and estimated the potential economic impacts of the Olympic Games on the Commonwealth. (2015)
- Border Adjustment Import Taxation: Impact on the U.S. Crude Oil and Petroleum Product Markets. Prepared and co-authored a whitepaper analyzing the U.S. House of Representatives' Tax Reform Task Force Blueprint on petroleum products in the U.S. (2016)
- U.S. Airways Inc. v. Sabre Holdings Corporation, Sabre Inc., and Sabre Travel International Limited (USDC Southern District of New York). On behalf of U.S. Airways assisted an academic expert in drafting his report and preparing for trial testimony in an antitrust dispute involving global distribution systems for airline, hotel and rental care bookings. (2012-2013)
- For the U.S. Department of Justice and Internal Revenue Service, evaluated the economic substance of stock lending by a leading investment bank using statistical and finance methods. (2008-2012)
- For the American Gaming Association, conducted extensive statistical analysis to estimate the economic impacts of commercial casino gaming in the U.S. (2012)

- Supported testifying expert in the calculation of damages using statistical methods in the matter of Eastbanc, Inc. and Anthony M. Lanier v. Georgetown Park Associates II Limited Partnership, et al., Superior Court of the District of Columbia, 2006 CA 002291 B. (2008, 2010)
- Evaluated the risks associated with legalization of online gaming for the white paper *Can Internet Gambling be Effectively Regulated? Managing the Risks* (by Malcom K Sparrow, Coleman Bazelon, and Charles Jackson), and in support of Malcolm Sparrow's testimony to House Committee of Financial Services. (2009)
- Identified product and geographic markets using statistical methods for a proposed acquisition of a coal mine in the U.S. by a leading coal producer. (2009)
- *Certain Steel Grating from China, Inv. Nos. 701-TA-465 and 731-TA-1161.*
- *Sodium Metal from France, Inv. No. 731-TA-1135.*
- *Certain Lightweight Thermal Paper from China and Germany, Inv. No. 701-TA-451 and 731-TA-1126-1127.*
- *Certain Standard Steel Fasteners from China and Taiwan, Inv. Nos. 701-TA-472 and 731-TA-1171-1172.*

PROFESSIONAL AFFILIATIONS

- Chair, Section of Intellectual Property Law: International Trade Commission, American Bar Association (ABA) (2016-2019)
- Vice-Chair Section of Intellectual Property Law: International Trade Commission, American Bar Association (ABA) (2013-2016)
- Member, American Bar Association (ABA)
- Member, ITC Trial Lawyers Association (ITCTLA)
- Elected and Instituted, Phi Beta Kappa

PRESENTATIONS AND PUBLICATIONS

- *Master IP Litigation: Learn How to Identify Infringement and Protect IP Quickly, Quantify Damages, and Prove Irreparable Harm* (with Dustin Edwards and William Logan), myLawCLE CLE Webinar, June 26, 2025.
- *Copyrights and Fair Use in a Modern Era: Who Owns This?* (with Megan Bannigan, Jennifer C., Danielle Ely and Shruti Chopra), Women Leaders in IP Law Summit, June 4, 2025.
- *What's New with Trade Secret Damages and Apportionment* (with Benjamin Fink, Stephanie Southwick, and Carlyn Iwin), AIPLA Trade Secret Summit, March 27, 2025.
- *Damages Considerations for Patent Litigation in High-Tech Products* (with Sharre Lotfollahi, Nicholas Kim, and Irene Yang), ABA-IPL Annual Meeting, April 18, 2024.
- *Litigating Patent Damages* (with Nicholas Kim and Jared Bobrow), Association of Corporate Counsel, October 12, 2023.
- *Navigating Trade Secret Systems in a Rapidly Changing Innovation Environment* (with Seth Gerber, Lauren Peterson, and Bridget Smith), ABA-IPL Spring Meeting, April 7, 2022.
- *Keynote Presentation on the Economic Impact of Trade Secret Systems on Innovation*, University of London Trade Secrets for Scholars and Practitioners Online Symposium, February 25, 2022.
- *Evaluating the Implications of Trade Secret Jurisprudence at the ITC* (with Louis Mastriani, James Pooley, William Rao, David Vondle, and Mareesa Frederick), American Conference Institute (ACI) 13th Annual Practitioners' Think Tank on ITC Litigation and Enforcement, July 27, 2021.
- *Future Forecast: Appreciating the Symbiosis Between IP and Emerging Technologies* (with Bridget Smith, Kecia Reynolds, Janna Lewis, and Michelle Holoubek), ACI and Women in IP Law Network (WIN) Women Leaders in IP Law Summit, March 9, 2021.
- *Point-Counterpoint on the Use of the ITC by Non-Practicing Entities* (with Philip Ou, Gemma Su, and Michael Connelly), ACI 12th Annual Practitioner's Think-Tank on ITC Litigation & Enforcement, August 23, 2020.
- *Economic Impact of Trade Secrets on Innovation,* World Intellectual Property Symposium (WIPO) on Trade Secrets and Innovation, WIPO, Geneva, Switzerland, November 25-26, 2019.
- *Patents or Trade Secrets: What is Trending?* Trending Issues in Trade Secrets Conference, United States Patent and Trademark Office (USPTO), September 19, 2019.
- *Section 337 Investigations and the ITC in the 2019 Landscape: Significant Trends and Developments Explored* (with Eric Schweibenz, Blaney Harper, Rachel Leos, and John Peterson), CLE Webinar Presentation, The Knowledge Group, February 21, 2019.

- *Trade Secrets Theft Uprising: What You Should Know and Do for Your Company's Protection* (with Abraham Skoff and Koray Bulut), CLE Webinar Presentation, The Knowledge Group, November 7, 2018.
- *ITC Section 337 Litigation: Tips and Strategies* (with Eric Schweibenz, Jordan Coyle, Edward Donovan, and Carla Mulhern), CLE Webinar Presentation, The Knowledge Group, September 28, 2017.
- *Fundamentals of Today's Trade Secret Litigation: Determining Economic Injury from Theft of Trade Secrets at the ITC* (with Kalpana Srinivasan, Mark Halligan, Matthew Bathon, and Ellen Robbins), CLE Webinar Presentation, American Bar Association, July 18, 2017.
- *REIT Supported Wireless Infrastructure: Foundation of the Mobile Economy* (with Coleman Bazelon), The Wireless Infrastructure Association, May 23, 2017.
- *Border Adjustment Import Taxation: Impact on the U.S. Crude Oil and Petroleum Product Markets* (with Philip K. Verleger, Jr., Kevin Neels, and Fabricio Nunez), The Brattle Group, December 16, 2016.
- *A Quick Guide to Patent Damages Discovery* (with Kevin Neels and Jeffrey Metzcar), Law360, August 12, 2016.
- *Not Just For Patents: Claims Involving Trade Secrets, Trademarks, Copyrights and Beyond at the ITC* (with Karin Norton, Jay Reiziss, Elizabeth Winston, Mark L. Whitaker), Lunch Program, D.C. Bar, February 11, 2016.
- *Analysis of the Boston 2024 Proposed Summer Olympic Plans* (with Coleman Bazelon, Steven Herscovici, Mark Berkman, Allen R. Sanderson, and Brad Humphreys), Commonwealth of Massachusetts Office of the Governor, August 17, 2015.
- *Section 337 at the U.S. International Trade Commission: Patents and Beyond* (with Karin Norton, Mark L. Whitaker, Elizabeth Winston, and Charlie McMahon), CLE Presentation, American Bar Association Annual Meeting, July 30, 2015.
- *The U.S. International Trade Commission Beyond Tech Patents—Fashion, Digital Downloads, Trademarks & Trade Secrets* (with Kate Bouquard, Josh Pond, Gillian Thackray, and Vaishali Udupa), CLE Presentation, New York State Bar Association's 138th Annual Meeting, February 9, 2015.
- *International Trade Commission in Flux: Learning from Recent Developments* (with Lynn I. Levine, Eric S. Namrow, Karin Norton, and Kimberly Parke), CLE Presentation, Annual Intellectual Property Law Conference, American Bar Association, April 4, 2014.
- *Meeting the Domestic Industry Requirement at the ITC* (with Beau Jackson), CLE Presentation, West LegalEd, July 25, 2013.

- *Making a Public Interest Case at the ITC* (with Kimberly Parke, Vaishali Udupa, and Mark L. Whitaker), CLE Presentation, American Bar Association, June 19, 2013.
- *Making a Public Interest Case at the ITC* (with Robert A. Rogowsky), CLE Presentation, West LegalEd, February 7, 2013.
- *An Economic View of ITC 337 Cases and the Public Interest* (with Robert A. Rogowsky and Coleman Bazelon), Law360, November 21, 2012.
- *An Economic View of the ITC's Domestic Industry* (with Robert A. Rogowsky and Coleman Bazelon), Law360, June 18, 2012.
- *Beyond the Casino Floor: Economic Impacts of the Commercial Casino Industry* (with Coleman Bazelon and Kevin Neels), American Gaming Association, February 2012.
- *Analysis of the Factors Affecting the Domestic Certain Steel Grating Industry* (with Seth Kaplan and Daniel Gaynor), Economic Submission in the matter of Certain Steel Grating from China, Investigation Nos. 701-TA-465 and 731-TA-1161 before the U.S. International Trade Commission, May 2010.
- *Effects of Health Insurer Monopsony*, Eastern Economic Association Annual Conference, New York, NY, February 2007.

Exhibit 2

Documents Relied Upon

Exhibits

[1] Ex. 1001 (’052 Patent).
[2] Ex. 2010 [redacted].
[3] Ex. 2012 (Loesch, et al., Skin Resurfacing Procedures: New and Emerging Options, Clinical Cosmetic, and Investigational Dermatology, 2014:7, 231-241).
[4] Ex. 2013 (Kempiak, et al. Superficial Chemical Peels and Microdermabrasion for Acne Vulgaris, Senin Cutan Med Surg, 27:212-220 (2008))
[5] Ex. 2032 (“Hydrafacial Allegro MD, Instructions for Use").
[6] Ex. 2033 (“Hydrafacial MD System, Owner’s Manual”).
[7] Ex. 2036 (HydraFacial Nectre System, User Manual)
[8] Ex. 2045 (HydraFacial Elite Advertisement).
[9] Ex. 2046 (HydraFacial Elite Advertisement).
[10] Ex. 2138 (Excerpt of HydraFacial Schedule 14A Proxy Statement).
[11] Ex. 2139 (Mackenzie, Macaela, “Why Microdermabrasion Treatments Are on the Decline, According to Dermatologists,” Allure, March 26, 2018, accessed January 23, 2025, https://www.allure.com/story/microdermabrasiontreatment-decline-in-popularity).
[12] Ex. 2140 (The Beauty Health Company 2023 10-K).
[13] Ex. 2141 [redacted].
[14] Ex. 2142 (The Beauty Health Company 2022 10-K).
[15] Ex. 2144. (L’Oreal, “Annual growth of the global cosmetics market from 2000 to 2023,” Statista, March 2024, accessed August 21, 2025, https://www.statista.com/statistics/297070/growth-rate-of-the-global-cosmetics-market/.)
[16] Ex. 2145 ([redacted] Market Research [redacted]).

Public Documents

[17] Mediha DiMarinto, “HydraFacial Preps for IPO,” Los Angeles Business Journal, March 14, 2021, last accessed January 2, 2025, https://labusinessjournal.com/manufacturing/hydrafacial-preps-ipo/.

Case Law

[18] Polaris Indus., Inc. v. Arctic Cat, Inc., 882 F.3d 1056, 1071-72 (Fed. Cir. 2018).
[19] WBIP, LLC v. Kohler Co., 829 F.3d 1317, 1337 (Fed. Cir. 2016).
[20] Lindemann Maschinenfabrik GMBH v. American Hoist and Derrick Co., 730 F.2d 1452, 1461.