

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NIANTIC INC.,

Petitioner,

v.

IMAGINEAR, INC.,

Patent Owner.

IPR2025-01273, IPR2025-01274, IPR2025-01275, IPR2025-01276,
Patent Nos. 10,946,284, 11,484,797, 11,666,827, and 12,070,691

**DECLARATION OF ALEN PAUL SILVERRSTIEEN IN
SUPPORT OF PATENT OWNER'S DISCRETIONARY DENIAL BRIEF**

I, Alen Paul Silverrstieen, declare as follows:

1. My name is Alen Paul Silverrstieen. I am the Chief Executive Officer of Patent Owner ImagineAR, Inc. (“IAR”) and I am submitting this declaration in support of IAR’s Discretionary Denial Brief in the above IPR proceedings.
2. In 2018, I was the Chief Executive Officer of Imagination Park Technologies, Inc., one of the predecessors-in-interest to IAR.
3. Around August 2018, I was approached by Jim Skippen of Wi-LAN, Inc. regarding a patent portfolio of several AR gaming patents and a patent application that was being sold on behalf of XMG Studio, Inc. (“XMG”).
4. At that time, Mr. Skippen sent me an Inflexion Point Strategy Patent Acquisition Summary (EX2003) that listed and summarized the patents and patent application rights that Mr. Ron Laurie of Inflexion Point Strategy, LLC (“IPS”) and Mr. Shaun MacDonald of Extreme Venture Partners (“EVP”) were selling on behalf of XMG.
5. The patent application that was included in the Inflexion Point Strategy Patent Acquisition Opportunity Summary (EX2003) and was offered to me was U.S. Patent Application No. 15/206,406 (the “’406 Application”), which I understand led to U.S. Patent Nos. 10,946,284 (“the ‘284 patent”), 11,484,797 (the “’797 patent”), 11,666,827 (the “’827 patent”), and 12,070,691 (the “’691 patent,” collectively, the “Patents”).

6. Mr. Skippen also put me in touch with Mr. Ron Laurie of IPS and Shaun McDonald of EVP.
7. In late 2018 and early 2019, IAR was considering the purchase of the XMG patent portfolio. At that time, I was aware that IPS and EVP had offered to sell the same patents and patent application listed and summarized in the Inflexion Point Strategy Patent Acquisition Opportunity Summary (EX2003) to Niantic, Inc. (“Petitioner”). I also know that IPS and EVP provided the same Inflexion Point Strategy Patent Acquisition Opportunity Summary (EX2003) to Petitioner.
8. On May 19, 2019, IAR acquired the XMG patent portfolio, which included the rights to the Patents.
9. In early 2023, IAR hired the patent broker Patent Infusion, Inc. (“Patent Infusion”) to look into monetizing IAR’s patent portfolio. Patent Infusion included Olivia Becker and Salumeh Loesch. At that time, the ‘284 patent and the ‘797 patent had issued.
10. On or about March 2023, Patent Infusion sent an email outreach to Petitioner on behalf of IAR along with an attached listing of the patents included in IAR’s patent portfolio that IAR was willing to sell to Petitioner. Included in that email outreach were the rights to the Patents.

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 are 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 and that such willful false statements may jeopardize the validity of the patents at issue.

Date: September 22, 2025

/s/ Alen Paul Silverrstieen

ALEN PAUL SILVERRSTIEEN