

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 ERIK M. BOKAR IN
SUPPORT OF PATENT OWNER'S DISCRETIONARY DENIAL BRIEF**

I, Erik M. Bokar, declare as follows:

1. I am an attorney licensed to practice law in the states of Illinois and Florida. I am a member in good standing in all jurisdictions and forums where I have been admitted to practice.
2. I am designated as Back-Up Counsel to represent Patent Owner ImagineAR, Inc. (“Patent Owner”) in this proceeding, pending *pro hac vice*. I am also counsel of record in the parallel district court litigation: *ImagineAR, Inc. v. Niantic, Inc.*, No. 1:24-cv-01252-JDW (D. Del.) (the “Litigation”). The Litigation involves the same patents at issue in IPR2025-1273, IPR2025-1274, IPR2025-1275, and IPR2025-1276 (the “IPRs”).
3. As a result of representing Patent Owner in this forum and in the Litigation, I have an established familiarity with the subject matter at issue in the IPRs. As a result of my representation of Patent Owner in these matters, I have acquired substantial understanding of the underlying technological issues at stake in the IPRs.
4. As a result of representing Patent Owner in the Litigation, I have an established familiarity with the parties’ substantial investment in the Litigation to date, including the parties’ document productions, Patent Owner’s infringement contentions, and Petitioner’s invalidity contentions.

5. To date, Patent Owner has produced over 5,000 pages of documents (IAR0000001-IAR0005489)
6. To date, Petitioner has produced over 25,000 pages of documents (NIANTIC_IAR_00000001-NIANTIC_IAR_00027732.)
7. On August 1, 2025, Patent Owner served its Infringement Contentions (**EX2012**) on Petitioner, including infringement charts for each of the Patents at issue in the IPRs (Exs. D-G to Patent Owner's Infringement Contentions, the "Infringement Charts").
8. Patent Owner's Infringement Charts span over 650 pages.
9. On August 28, 2025, Petitioner served its Invalidity Contentions (**EX2013**) on Patent Owner, which included 48 invalidity charts relating to the Patents at issue in the IPRs (Chart Nos. A-1-A-12, B-1-B-12, C-1-C-12, and D-1-D-12 to Petitioner's Invalidity Contentions, the "Invalidity Charts").
10. Petitioner's Invalidity Charts collectively span over 5,000 pages.
11. Petitioner's Invalidity Charts include charts for U.S. Patent Application Publication No. 2012/0244945 (EX1013, "Kolo") and U.S. Patent Application Publication No. 2011/0214071 (EX1014, "Zyda") (Chart Nos. A-1, A-6, B-1, B-6, C-1, C-6, D-1, D-6), which collectively span more than 750 pages.

12. Petitioner's Invalidity Charts also include charts for five prior art systems—Ingress, Shadow Cities, Turf Wars, BotFighters, and Parallel Kingdom (*i.e.*, Chart Nos. A-8 – A-12, B-8 – B-12, C-8 – C-12, D-8 – D-12).

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/Erik M. Bokar

Erik M. Bokar

Attorney for Patent Owner