

UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE PATENT TRIAL AND APPEAL BOARD

BONERGE LIFESCIENCE (HUNAN) CO., LTD.,  
Petitioner

v.

NANJING NUTRABUILDING BIO-TECH CO., LTD.,  
Patent Owner

U.S. Patent No. 10,278,961

Filing Date: April 19, 2017

Issue Date: May 7, 2019

Title: Administration of berberine metabolites

Inter Partes Review No.: IPR2025-01593

[EXHIBIT 1024]

**DECLARATION OF HUA CHEN IN SUPPORT OF PETITIONER'S REPLY**

I, Hua Chen, declare as follows:

**I. BACKGROUND AND PURPOSE**

1. I am an attorney licensed to practice law in the State of California and a partner at ScienBiziP, P.C.. I am counsel of record for Petitioner Bonerge Lifescience (Hunan) Co., Ltd. (“Petitioner” or “Bonerger”) in the above-captioned inter partes review.
2. I submit this declaration in support of Petitioner’s Reply to Patent Owner’s Response. I make this declaration based on my own personal knowledge and on records maintained by my firm in the ordinary course of its representation of Petitioner. If called upon to testify as to the matters stated herein, I could and would testify competently to them.

**II. PROSECUTION AND APPEAL MATERIALS IN EX PARTE BERNSTEIN**

3. Exhibit 1025 is a true and correct copy of the decision of the Patent Trial and Appeal Board in Ex parte Joel E. Bernstein, Appeal No. 2014-007316, in U.S. Patent Application No. 13/197,581 (Technology Center 1600), decided Aug. 27, 2015.
4. Exhibit 1026 is a true and correct copy of the Appeal Brief filed by the applicant in U.S. Patent Application No. 13/197,581, the application at issue in Ex parte Bernstein, together with the Exhibits A through G appended to it.

### **III. DOCUMENTS PRODUCED BY NATURE’S FUSIONS IN RESPONSE TO SUBPOENA**

5. Nature’s Fusions is a Utah company that was a subpoenaed party in the District Court Action.
6. Exhibit 1027 is a true and correct copy of documents produced by Nature’s Fusions bearing Bates numbers NF00028 through NF00033. Exhibit 1027 is an email chain between representatives of Petitioner and representatives of Nature’s Fusions, dated July 6, 2023 through August 2, 2023. The email at NF00028, dated August 2, 2023, transmits to Nature’s Fusions an attachment identified as “Bonerge Brochure - Berberine and Dihydroberberine Ver-1.0.pdf.”
7. Exhibit 1028 is a true and correct copy of the brochure identified in the preceding paragraph, as produced by Nature’s Fusions, bearing Bates numbers NF00034 through NF00042. Nature’s Fusions designated Exhibits 1027 and 1028 “HIGHLY CONFIDENTIAL - ATTORNEYS’ EYES ONLY” under the protective order entered in the District Court Action. Petitioner is filing Exhibits 1027 and 1028 under seal, together with a motion to seal under 37 C.F.R. § 42.54 and redacted public versions.

### **IV. AMAZON.COM LISTING FOR NATURE’S FUSIONS’ DIHYDROBERBERINE PRODUCT**

8. On August 31, 2026, I visited the Amazon.com product detail page located

at <https://www.amazon.com/dp/B0CWC6F56X>. The page is for a product titled “Nutri Dihydroberberine 200mg w/ Organic Ceylon Cinnamon - 60 Caps | 54X More Bioavailable Than Regular Berberine HCL - w/ Organic Ceylon Cinnamon - 3rd Party Tested, Vegan,” ASIN B0CWC6F56X. The page identifies the seller as “Nature’s Fusions Nutri” and the manufacturer as “Nature’s Fusions.” Exhibit 1029 is a true and correct copy of that page which I captured by printing the page to PDF from my web browser. The URL and the date and time of capture appear in the header or footer of each page of Exhibit 1029.

## V. CONCLUSION

I 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 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.

Executed on August 31, 2026

By:

*/s/ Hua Chen*

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Hua Chen