

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INARI AGRICULTURE, INC.,
Petitioner,

v.

CORTEVA AGRISCIENCE LLC,
Patent Owner.

Case No. PGR2023-00022
Patent No. 11,371,055

**DECLARATION OF ERIC J. RUTT IN SUPPORT OF
MOTION FOR ADMISSION *PRO HAC VICE***

Inari Exhibit 1038 Inari Agric v. Corteva Agriscience PGR2023-00022

I, Eric J. Rutt, declare:

1. I am Counsel at the law firm Wolf, Greenfield and Sacks, P.C., practicing in the Intellectual Property Litigation Group. I have been a patent litigator at Wolf Greenfield since I joined the firm in 2009.

2. I am a member in good standing of the Bar of the Commonwealth of Massachusetts and am admitted to practice before the U.S. District Courts for the District of Massachusetts and District of Colorado and the U.S. Courts of Appeals for the Ninth Circuit and Federal Circuit.

3. I have never been suspended, disbarred, sanctioned or cited for contempt by any court or administrative body.

4. I have never had a court or administrative body deny my application for admission to practice.

5. I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of 37 C.F.R.

6. I agree to be subject to the U.S. Patent and Trademark Office's Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

7. In the past five years, I have appeared *pro hac vice* in the following proceedings before the Office: IPR2018-00182, IPR2018-00323, IPR2018-00228, IPR2021-01537, IPR2022-00158, and IPR2022-00159.

8. In the process of advising Petitioner Inari Agriculture, Inc. (“Petitioner”) on this proceeding, I have become familiar with the subject matter at issue in this proceeding. In particular, I have studied in detail the petition, expert declaration, and prior art references submitted in this proceeding and I have worked on preparing the Petitioner’s Reply to Patent Owner’s Preliminary Response submitted in this proceeding.

9. Through my years of patent litigation experience, I am familiar with the legal theories advanced in this proceeding, including enablement and written description under 35 U.S.C §112(a).

10. I have engaged (and will continue to engage) in strategic and substantive discussions regarding this proceeding with Scott McKeown, who is Lead Counsel for Petitioner in this proceeding.

I declare that all statements made herein of my own knowledge are true, 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 are punishable by fine, imprisonment, or both, under Section 1001 of Title 18 of the U.S. Code.

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted,

Dated: November 22, 2023

/Eric J. Rutt/

Eric J. Rutt, Esq.

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