

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KINDERFARMS, INC.
Petitioner

v.

GENEXA, INC.
Patent Owner

Case No. PGR2023-00051

U.S. Patent No. 11,617,795

**DECLARATION OF SHANTELE L. LAFAYETTE IN SUPPORT OF
MOTION TO APPEAR *PRO HAC VICE* ON BEHALF OF PETITIONER
KINDERFARMS, LLC**

I, Shantelle L. LaFayette, do hereby declare:

1. I am an associate in the Intellectual Property Group in the New York City Office of the law firm of Mayer Brown LLP, which represents Petitioner KinderFarms, LLC (“KinderFarms”) in this post grant review proceeding. Brian Nolan, lead counsel on behalf of KinderFarms, is registered to practice before the United States Patent and Trademark Office and the holder of Registration No. 45,821. I will work closely with Mr. Nolan and backup counsel Ying-Zi Yang (Reg. 52,381).

2. I hold a Bachelor of Science degree in Molecular Biology, with honors, from the University of Toronto, a Master of Science degree in Molecular Genetics from the University of Toronto, and a Doctor of Philosophy degree in Microbiology and Immunology from McGill University.

3. I hold a Juris Doctor degree from McGill University.

4. I am an experienced litigating attorney, with over five years of experience representing clients in patent litigation matters, including before United States District Courts. I have assisted with *inter partes* review proceedings before the PTAB.

5. My experience includes patent litigation matters in various fields, including life sciences. In particular, I have technical experience litigating pharmaceutical formulation patents. I have been involved in the within matter

since its inception – I participated in the preparation of the as-filed Petition and the supporting exhibits, including the Expert Declaration of Dr. Michael Crowley. I have also reviewed the Patent Owner Preliminary Response and Institution Decision filed in this PGR proceeding. I am also counsel representing KinderFarms in a parallel district court patent infringement litigation involving U.S. Patent No. 11,617,795 (the “’795 patent”) in the Central District of California, which is captioned Genexa Inc. v. KinderFarms, CDCA-2-23-cv-08378.

6. I am a member in good standing of the Bar of the State of New York.

7. I have never been suspended, disbarred or sanctioned by any court or administrative body.

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

9. I have never been sanctioned or cited for contempt by any court or administrative body.

10. 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.

11. I agree to be subject to the United States Patent and Trademark Office Code of Professional Responsibility set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

12. I have never applied to appear *pro hac vice* before the United States Patent and Trademark Office in any other proceeding.

13. 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 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.

Dated: April 30, 2024

/s/ Shantelle L. LaFayette
Shantelle L. LaFayette