

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

THERABODY, INC.
Petitioner

v.

HYPERICE IP SUBCO, LLC
Patent Owner.

Case No. PGR2025-00013
U.S. Patent No. 11,938,082

**DECLARATION OF BRETT J. WILLIAMSON IN SUPPORT OF
PETITIONER'S MOTION FOR *PRO HAC VICE* ADMISSION PURSUANT
TO 37 C.F.R. §42.10(C)**

I, Brett J. Williamson, declare as follows:

1. I am a Partner with the law firm of O'Melveny & Myers LLP. I represent and advise Petitioner Therabody, Inc. ("Therabody") in connection with the above-captioned post grant review ("PGR") proceeding on the patent at issue in this PGR, U.S. Patent No. 11,938,082 ("the '082 Patent").
2. I have been a member in good standing of the Bar of the State of California since 1989, and of the Bar of the District of Columbia and the Bar of the State of New York since 2015. My state bar numbers are: 145235 (California), 1024759 (Washington, D.C.), and 5353925 (New York). I am also admitted to practice before the US Court of Appeals, Federal Circuit (admitted March 2002), US Court of Appeals, Ninth Circuit (admitted December 1989), US Court of Appeals, Second Circuit (admitted November 2014), US Court of Appeals, Third Circuit (admitted June 2018), US Court of Appeals, D.C. Circuit (admitted March 2023); US District Court, California Central (admitted December 1989), US District Court, California Eastern (admitted September 1993), US District Court, California Northern (admitted September 1993), US District Court, California Southern (admitted September 1993), US District Court, Colorado (admitted March 1999), US District Court, New York Eastern (admitted December 2016), US District Court, New York Southern (admitted November 2016), US District Court, District of Columbia (admitted April 2023), and the US Supreme Court (admitted October 1995).

3. I have 36 years of experience practicing patent and technology related litigation. I have litigated numerous patent cases across the country, including in Alabama, California, Colorado, Connecticut, Delaware, the District of Columbia, Illinois, Nevada, Ohio, Texas, Utah, and Virginia, and litigated many of them through both trial and appeal.

4. I am familiar with the subject matter at issue in this proceeding. I have been actively involved in the present PGR proceeding regarding the '082 Patent. I have reviewed the patent and the prior art being asserted in this PGR proceeding.

5. Moreover, I have advised Petitioner on strategy regarding Petitioner's affirmative arguments in this PGR proceeding, assisted in the drafting of the petition, reviewed the accompanying Declaration of John D. Pratt, Ph.D., and worked with Petitioner to find and identify the references relied upon in the petition and to draft other submissions to the Office.

6. I have similarly assisted clients in connection with many patent litigations regarding technology similar to that at issue in this PGR.

7. Specifically, I have assisted Petitioner in its district court litigation, *Hyper Ice, Inc. v. Therabody, Inc.*, Case No. 8:24-cv-00390-JWH-(DFMx) (C.D. Cal.).

8. I have not been suspended or disbarred from practice before any court or administrative body. I have never had an application for admission to practice before

any court or administrative body denied. No sanction or contempt citation has been imposed against me by any court or administrative body.

9. 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.

10. I agree to and will be subject to the USPTO 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).

11. I have applied to, and was admitted to, appear pro hac vice before the Board in the following proceedings:

- IPR2021-00308
- IPR2021-00304
- IPR2021-00298
- IPR2021-00265
- IPR2021-00219
- IPR2021-00206
- IPR2021-00158
- CBM2020-00028
- IPR2019-01306
- IPR2015-01879

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. I further declare 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 and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully Submitted,

/s/ Brett J. Williamson

Brett J. Williamson

O'Melveny & Myers LLP