

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MULTI-COLOR CORPORATION

Petitioner

v.

BROOK & WHITTLE LIMITED

Patent Owner

PGR2025-00025
Patent No. 11,961,422

DECLARATION OF KELLY TRIPATHI

Pursuant to 28 U.S.C § 1746, I, Kelly Tripathi, the undersigned, hereby declare as follows:

1. I am over eighteen years of age, in sound mind, and in all ways qualified and competent to make this declaration. I have personal knowledge of the facts contained in this declaration and they are true and correct.
2. I am a partner in the law firm of Kirkland & Ellis LLP, counsel for Brook + Whittle, Ltd. (“B+W”). Lead counsel in this Post Grant review proceeding is W. Todd Baker, who is a partner with the law firm Kirkland & Ellis LLP and is registered to practice before the United States Patent and Trademark Office under Registration No. 45,265. With respect to this proceeding, I will work closely with Mr. Baker.
3. I have more than six years of experience as a litigation attorney who specializes in patent litigation and represents clients in patent litigation matters in various United States District Courts and administrative venues. My experience includes all phases of litigation, including trying cases in federal court and at the U.S. International Trade Commission. I also have experience in a variety of industries including medical devices, pharmaceuticals, computer software, and construction.
4. I am very familiar with U.S. Patent No. 11,961,422 (the “Asserted Patent”) due to the present Post Grant review proceeding.

5. As counsel in the present proceeding, I am, and will continue to be, deeply involved in all aspects of the litigation on behalf of B+W and therefore have established familiarity with the Asserted Patent.
6. I am a member in good standing of the District of Columbia (No. 1707996) and the Virginia State Bar (No. 95038).
7. I have never been suspended or disbarred from practice before any court or administrative body.
8. I have never been denied admission to any Bar, court, or administrative body.
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 Patent Trial and Appeal Board's Rules of Practice.
11. I agree to 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).
12. In the last three years, I applied to appear *pro hac vice* in:
 - *HOYA Corp. v. Alcon Inc.*, Case No. 3:20-cv-03629 (N.D. Tex. Jan. 4, 2024);
 - *Sterling Computs. Corp. v. Internal Bus. Machs. Corp.*, Case No. 4:23-cv-4150 (D. S.D. Apr. 13, 2024);

- *Stephen Burkhart, M.D. v. Arthrex, Inc.*, Case No. 2020-CA-000401 (Fla. Dist. Ct. App. May 2, 2024);
- *Magnolia Med. Techs., Inc. v. Kurin, Inc.*, Case No. 3:24-cv-00428 (S.D. Cal. June 11, 2024);
- *Magnolia Med. Techs., Inc. v. Kurin, Inc.*, Case No. 1:24-cv-01124 (D. Del. Oct. 28, 2024); and
- *Abbott Lab'ys v. Grifols Diagnostic Sols. Inc.*, Case No. 1:19-cv-06587 (N.D. Ill. Nov. 18, 2024).

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 were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the outcome of PGR2025-00025.

Date: February 26, 2026

Respectfully submitted,

/s/ Kelly Tripathi
Kelly Tripathi