

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WHOOP, INC.,
Petitioner,

v.

OMNI MEDSCI, INC.,
Patent Owner.

Patent No. 12,193,790

Post Grant Review No. PGR2026-00003

**DECLARATION OF NATHANIEL R. SCHARN IN SUPPORT OF
PETITIONER'S MOTION FOR *PRO HAC VICE* ADMISSION**

Pursuant to 37 C.F.R. § 1.68, I, Nathaniel R. Scharn, hereby attest to the following:

1. I am a member in good standing of the California Bar, and I am admitted to practice before the following Federal Courts:

- a. United States Court of Appeals for the Federal Circuit;
- b. United States District Court for the Northern District of California;
- c. United States District Court for the Central District of California;
- and
- d. United States District Court for the Southern District of California.

2. I have not been suspended or disbarred from practice before any court or administrative body;

3. I have never had an application for admission to practice before any court or administrative body denied;

4. I have never had sanctions or contempt citations imposed by any court or administrative body imposed against me;

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 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);

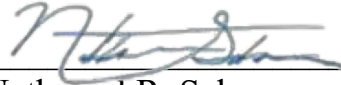
7. I have not previously applied for *pro hac vice* admission in any matters before the United States Patent and Appeal Board.

8. I am an experienced litigation attorney and have been involved in numerous patent-infringement cases in Federal Courts across the country. I have experience in various aspects of patent-infringement matters including jury and bench trials, *Markman* hearings, and summary judgment hearings. I am presently counsel in the related district court litigation, *Omni MedSci, Inc. v. WHOOP, Inc.*, No. 1:25-cv-00140-WCB, pending in the United States District Court for the District of Delaware. That litigation involves U.S. Patent No. 12,193,790 (“the ’790 Patent”), the same patent at issue in this proceeding. In my role as counsel in the pending litigation, I have reviewed and am familiar with the ’790 Patent and the asserted prior-art references. Further, I have been involved, and am familiar, with the factual and legal arguments at issue in that case. As such, I have established familiarity with the subject matter at issue in this proceeding.

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

DATED: May 29, 2026

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Nathaniel R. Scharn", is positioned above a horizontal line.

Nathaniel R. Scharn