

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE Patent TRIAL AND APPEAL BOARD

US ENDODONTICS, LLC,
Petitioner,

v.

GOLD STANDARD INSTRUMENTS, LLC,
Patent Owner.

Case IPR2015-00632
Patent 8,727,773 B2

DECLARATION OF RONALD R. LEMON, D.M.D.

I, Ronald Lemon, D.M.D., affirm and declare as follows:

A. Education and Experience

1. I am a tenured Professor, Associate Dean of Advanced Education, and Coordinator, Predoctoral Endodontics, at the University of Nevada, Las Vegas, School of Dental Medicine (UNLV SDM).

2. I obtained the degree of Doctor of Dental Medicine in 1971 from the University of Kentucky. I became a board-certified endodontist in 1981.

3. I have practiced dentistry since 1972 and endodontics since 1978. During the course of my career, I have performed approximately 10,000 endodontic procedures.

4. I have taught dentistry and endodontics for almost forty years. I started a full-time teaching career in Endodontics at the University of Louisville, School of Dentistry in 1976. I was appointed Assistant Professor in the Department of Endodontics in 1977. I was appointed Assistant Professor and Coordinator Postgraduate Endodontics at Louisiana State University School of Dentistry in 1978. I was appointed Associate Professor with tenure in 1981 and Professor in 1993. I became the Acting Chair for the Department of Endodontics in 1986 and the Chair in 1989.

5. After Hurricane Katrina in 2005, the LSU, School of Dentistry building was closed in New Orleans for a period of two years. I helped to establish

a temporary dental school in the city of Baton Rouge, LA. This temporary school was used for two years while the building in New Orleans was repaired. When the School in New Orleans re-opened in September or 2007, I retired from that position.

6. In September of 2007, I was appointed Associate Dean of Advanced Education and Coordinator of Predoctoral Endodontics at UNLV, School of Dental Medicine. I have received six Outstanding Faculty Awards there. I currently teach several courses, including Preclinical Endodontics and Advanced General Dentistry. I also am a clinic instructor and participate in private care of patients through the Faculty Dental Practice. Other courses that I have taught are listed on my curriculum vitae. As Associate Dean for Advanced Education, I oversee postgraduate programs in Orthodontics, Pediatric Dentistry, and General Practice Residency.

7. Also listed on my curriculum vitae (Exhibit A) are the professional societies, committees, and organizations in which I have participated, my presentations, table clinics, extramural research, and publications.

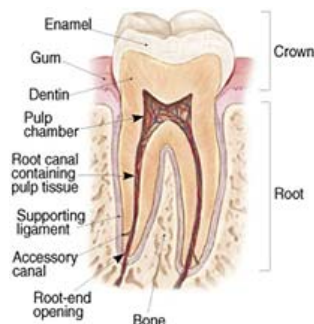
8. I am being paid for my time in connection with my work on this matter at my standard consulting rate of \$300/ hour.

B. Background regarding endodontics and root canal instruments.

9. Endodontics is the field of dentistry concerned with the prevention,

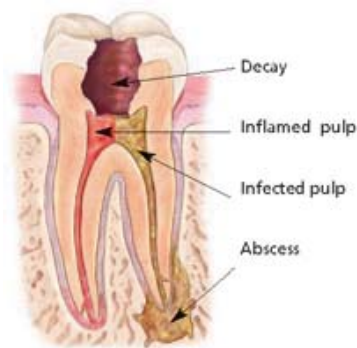
diagnosis, and treatment of diseases and injuries relating to the dental pulp and periapical tissues.

10. The pulp is the soft tissue inside the tooth, under the white enamel and a hard layer called the dentin. The pulp contains blood vessels, nerves and connective tissue that enable the root to grow and develop. A fully developed tooth



can survive without the pulp.

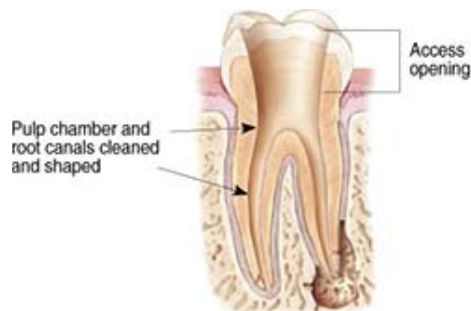
11. The pulp can become inflamed or infected by a variety of causes: deep decay, repeated dental procedures on the tooth, faulty crowns, or a crack or chip in the tooth. In addition, trauma to a tooth may cause pulp damage even if the tooth has no visible chips or cracks. If pulp inflammation or infection is left untreated, it



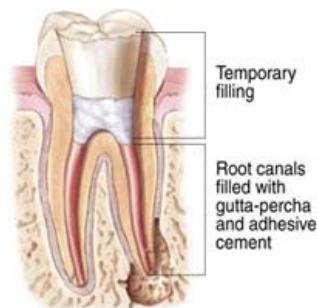
can cause pain or lead to an abscess.

12. Endodontic treatment, commonly called a root canal procedure, is often performed to treat inflamed or infected pulp. A root canal procedure is

performed as follows. First, the general dentist (or endodontist) makes an opening in the crown of the tooth and enters the pulp. Then, instruments called endodontic files are used to clean all of the infected pulp from the pulp chamber and root canal and to shape the space for filling. The ideal goal is to remove all of the damaged tissue all the way to the end of the root, which is called the apex or apical foramen.



After the root canal is cleaned and shaped, the endodontist fills the canal with filling composed of a biocompatible material, usually a rubber-like material called gutta-percha, and an adhesive cement, to ensure complete sealing of the root canals. In most cases, a temporary filling is



placed to close the opening.

After the final visit with the endodontist, the patient must return to his or her dentist to have a crown or other restoration placed on the tooth to protect and restore it to full function.

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