

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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NEOCHORD, INC.  
Petitioner

v.

UNIVERSITY OF MARYLAND, BALTIMORE  
Patent Owner

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Case No. IPR2016-00208  
Patent No. 7,635,386

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**AFFIDAVIT OF SUSAN GILLETTE IN SUPPORT OF  
PATENT OWNER'S MOTION TO DISMISS**

I, Susan Gillette, declare as follows:

1. I am Vice President and General Counsel of the University of Maryland, Baltimore. I provide this declaration upon personal knowledge and, if called upon as a witness, would testify competently as to the matters recited herein.
2. The University of Maryland, Baltimore (“UMB”) is a campus of the University of Maryland, which is a constituent institution of the University System of Maryland (“USM”). USM is an instrumentality of the State of Maryland and is governed by a Board of Regents as provided in Maryland law.
3. UMB’s authorities are granted by Maryland law and by delegation of the authorities granted to USM and to its Board of Regents under Maryland law.
4. UMB is subject to the Maryland laws and regulations applicable to USM as a whole.
5. Many significant actions of UMB and USM require prior approval of the USM Board of Regents and/or the Maryland Board of Public Works, which consists of the Governor, Treasurer, and Comptroller of the State of Maryland. USM, including UMB, is subject to audit by the Legislative Auditor of the State of Maryland.
6. Revenues of UMB are state property and are deposited in the State Treasury or in other accounts as directed by the State Treasurer, as required by Maryland law. This legal requirement applies to revenue derived from licensed patents owned by UMB.

7. Unexpended balances held by UMB at fiscal year-end may be expended as provided in a State appropriation or budget amendment.

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

Executed on February 21, 2017.

  
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Susan Gillette