

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Borealis AG
Petitioner

v.

Berry Plastics Corporation
Patent Owner

Case IPR2016-00564

In re *Inter Parte* Review of
U.S. Patent No. 8,883,280

DECLARATION OF HOJUNG CHO

I, Hojung Cho, make the following Declaration pursuant to 28 U.S.C.

§ 1746:

1. I am an attorney at the law firm of Finnegan, Henderson, Farabow, Garrett and Dunner LLP.

2. I provide this Declaration in connection with the above-identified *Inter Partes* Review proceeding. Unless otherwise stated, the facts stated in this Declaration are based on my personal knowledge.

3. On November 25, 2015, I visited <http://www.polymerjournals.com/search.asp> and searched a journal article published between 2001 and 2009 using a keyword text, “PP-blends.” I found a link to the abstract of a paper, Reichelt et al., “PP-Blends with Tailored Foamability and Mechanical Properties,” *Cellular Polymers*, Volume 22, No. 5 (2003), pp. 315-327 at <http://www.polymerjournals.com/journals.asp?Search=YES&JournalID=98372&JournalType=cp> and printed a copy of these webpages. That copy is now Exhibit 1027. On November 20, 2015, I also purchased and downloaded a copy of the paper, Reichelt et al., “PP-Blends with Tailored Foamability and Mechanical Properties,” *Cellular Polymers*, Volume 22, No. 5 (2003), pp. 315-327, from the same webpage

<http://www.polymerjournals.com/journals.asp?Search=YES&JournalID=98372&JournalType=cp>. The copy of this paper is now Exhibit 1014.

4. On November 20, 2015, I visited <http://www.sciencedirect.com/science/article/pii/S0079670002000060> and printed a copy of it. That copy is now Exhibit 1028. The webpage includes an abstract of a paper, Ratzsch et al., “Radical Reactions on Polypropylene in the Solid State,” *Progress in Polymer Science*, Volume 7, Issue 7, September 2002, pages 1195-1282, and indicates that the associated paper was published online on January 29, 2002. On November 20, 2015, I also downloaded a copy of the associated paper from the same webpage <http://www.sciencedirect.com/science/article/pii/S0079670002000060>. The copy of this paper is now Exhibit 1015.

5. On February 6, 2016, I visited <http://pubs.acs.org/doi/abs/10.1021/ie0489608> and printed a copy of it. That copy is now Exhibit 1078. The webpage includes an abstract of a paper, Naguib et al., “Effect of Supercritical Gas on Crystallization of Linear and Branched Polypropylene Resins with Foaming Additives,” *Ind. Eng. Chem. Res.* 2005, 44, 6685-6691, and indicates that the associated paper was published on July 8, 2005. On February 6, 2016, I also downloaded a copy of the associated paper from the

same webpage, <http://pubs.acs.org/doi/abs/10.1021/ie0489608>. The copy of this paper is now Exhibit 1043.

6. On February 6, 2016, I visited <http://www.sciencedirect.com/science/article/pii/S0009250909002486> and printed a copy of it. That copy is now Exhibit 1079. The webpage includes an abstract of a paper, Tabatabaei et al., “Rheological and Thermal Properties of Blends of a Long-Chain Branched Polypropylene and Different Linear Polypropylenes,” *Chemical Engineering Science* 64(2009), 4719-4731, and indicates that the associated paper was published online on April 14, 2009. On February 6, 2016, I also downloaded a copy of the associated paper from the same webpage, <http://www.sciencedirect.com/science/article/pii/S0009250909002486>. The copy of this paper is now Exhibit 1044.

7. On February 8, 2016, I visited <http://onlinelibrary.wiley.com/wol1/doi/10.1002/polb.20005/full> and printed a copy of it. That copy is now Exhibit 1086. The webpage includes an abstract of a paper, Almanza et al., “Applicability of the Transient Plane Source Method to Measure the Thermal Conductivity of Low-density Polyethylene Foams,” *Journal of Polymer Science: Part B: Polymer Physics*, Volume 42 (2004), 1226–1234, and indicates that the associated paper was published online on February 11, 2004. On February 8, 2016, I also downloaded a copy of the associated paper from the same

webpage, <http://onlinelibrary.wiley.com/wol1/doi/10.1002/polb.20005/full>. The copy of this paper is now Exhibit 1045.

8. On February 6, 2016, I visited <http://onlinelibrary.wiley.com/doi/10.1002/adem.200900129/abstract> and printed a copy of it. That copy is now Exhibit 1080. The webpage includes an abstract of a paper, Antunes et al., “Heat Transfer in Polypropylene-Based Foams Produced Using Different Foaming Processes,” *Advanced Engineering Materials*, 2009, 11, No. 10, 811-819, and indicates that the associated paper was published online on August 21 2009. On February 6, 2016, I also downloaded a copy of the associated paper from the same webpage, <http://onlinelibrary.wiley.com/doi/10.1002/adem.200900129/abstract>. The copy of this paper is now Exhibit 1056.

9. On February 6, 2016, I visited <http://www.sciencedirect.com/science/article/pii/B9781856174787500076> and printed a copy of it. That copy is now Exhibit 1065. The webpage includes a summary of a paper, Michel Biron, “Chapter 4 – Detailed Accounts of Thermoplastic Resins,” *Thermoplastics and Thermoplastic Composites, Technical Information for Plastics Users*, Elsevier Ltd. (2007), 217-714 and indicates that the associated paper was available online March 4, 2008. On February 6, 2016, I also downloaded a copy of the associated paper from the same webpage,

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