

## **DECLARATION OF MARK J. DeBOY**

I, Mark J. DeBoy (hereinafter "Declarant"), hereby declare as follows:

1. I am an attorney at the law firm of Edell, Shapiro & Finnan, LLC in Gaithersburg, Maryland. Edell, Shapiro & Finnan, LLC represented Fractus, S.A. in several reexaminations of U.S. Patent No. 7,015,868 ("the '868 Patent"), U.S. Patent No. 7,123,208 ("the '208 Patent"), U.S. Patent No. 7,394,432 ("the '432 Patent"), and U.S. Patent No. 7,397,431 ("the '431 Patent"), including those connected with the Exhibits referenced herein. I submit this declaration based on personal knowledge. If called upon as a witness, I could and would competently testify to the truth of each statement herein.
2. Attached as Exhibit 2002 is a true and correct copy of claim charts CC-E through CC-H in *inter partes* reexamination Control No. 95/001,482 for the '431 Patent.
3. Attached as Exhibit 2003 is a true and correct copy of an Order Granting Request for *Inter Partes* Reexamination in *inter partes* reexamination Control No. 95/001,482 for the '431 Patent.
4. Attached as Exhibit 2004 is a true and correct copy of claim charts CC-E through CC-H in *inter partes* reexamination Control No. 95/001,483 for the '432 Patent.

5. Attached as Exhibit 2005 is a true and correct copy of an Order Granting Request for *Inter Partes* Reexamination in *inter partes* reexamination Control No. 95/001,483 for the '432 Patent.
6. Attached as Exhibit 2007 is a true and correct copy of Patent Application Information Retrieval (PAIR) system application data for *inter partes* reexamination Control No. 95/002,346 for the '431 Patent.
7. Attached as Exhibit 2008 is a true and correct copy of a Request for *Inter Partes* Reexamination and Accompanying Claim Charts in *inter partes* reexamination Control No. 95/002,346 for the '431 Patent.
8. Attached as Exhibit 2009 is a true and correct copy of Patent Application Information Retrieval (PAIR) system application data for *inter partes* reexamination Control No. 95/002,349 for the '432 Patent.
9. Attached as Exhibit 2011 is a true and correct copy of a Request for *Inter Partes* Reexamination and Accompanying Claim Charts in *inter partes* reexamination Control No. 95/002,349 for the '432 Patent.
10. Attached as Exhibit 2012 is a true and correct copy of a Declaration of Donald G. Bodnar in *ex parte* reexamination Control No. 90/013,023 for the '431 Patent.

11. Attached as Exhibit 2013 is a true and correct copy of a Notice of Intent to Issue *Ex Parte* Reexamination Certificate in *ex parte* reexamination Control No. 90/013,023 for the '431 Patent.
12. Attached as Exhibit 2014 is a true and correct copy of a Declaration of Donald G. Bodnar in *ex parte* reexamination Control No. 90/013,024 for the '432 Patent.
13. Attached as Exhibit 2015 is a true and correct copy of a Notice of Intent to Issue *Ex Parte* Reexamination Certificate in *ex parte* reexamination Control No. 90/013,024 for the '432 Patent.
14. Attached as Exhibit 2016 is a true and correct copy of a Memorandum Opinion and Order in Case No. 2:17-CV-00561-JRG (E.D. Tex.).
15. Attached as Exhibit 2019 is a true and correct copy of a Civil Docket for Case No. 2:17-CV-00561-JRG (E.D. Tex.), last accessed November 22, 2018.
16. Attached as Exhibit 2020 is a true and correct copy of a Joint Motion to Amend the Docket Control Order in Case No. 2:17-CV-00561-JRG (E.D. Tex.).
17. Attached as Exhibit 2021 is a true and correct copy of a Order Amending Docket Control Order and Staying Deadlines in Case No. 2:17-CV-00561-JRG (E.D. Tex.).
18. Attached as Exhibit 2022 is a true and correct copy of Grangeat Claim Charts from *ex parte* reexamination Control No. 90/013,023 for the '431 Patent.

19. Attached as Exhibit 2023 is a true and correct copy of Grangeat Claim Charts from *ex parte* reexamination Control No. 90/013,024 for the '432 Patent.
20. Attached as Exhibit 2024 is a true and correct copy of Misra II Claim Charts from *ex parte* reexamination Control No. 90/013,023 for the '431 Patent.
21. Attached as Exhibit 2025 is a true and correct copy of Misra II Claim Charts from *ex parte* reexamination Control No. 90/013,024 for the '432 Patent.
22. Attached as Exhibit 2026 is a true and correct copy of Statutory Disclaimers filed in the '431 and '432 Patents, including electronic filing receipts.
23. Attached as Exhibit 2029 is a true and correct copy of a Decision on Request in *ex parte* reexamination Control No. 90/013,024 for the '432 Patent.
24. Attached as Exhibit 2030 is a true and correct copy of a Decision on Request in *ex parte* reexamination Control No. 90/013,023 for the '431 Patent.
25. Attached as Exhibit 2031 is a true and correct copy of a Decision on Request in *ex parte* reexamination Control No. 90/013,022 for the '208 Patent.
26. Attached as Exhibit 2032 is a true and correct copy of a Decision on Request in *ex parte* reexamination Control No. 90/013,025 for the '868 Patent.
27. Attached as Exhibit 2033 is a true and correct copy of a Request for *Inter Partes* Reexamination and Accompanying Claim Charts in *inter partes* reexamination Control No. 95/001,390 for the '868 Patent.

28. Attached as Exhibit 2034 is a true and correct copy of a Request for *Inter Partes* Reexamination and Accompanying Claim Charts in *inter partes* reexamination Control No. 95/001,501 for the '208 Patent.

29. Attached as Exhibit 2035 is a true and correct copy of a Request for *Inter Partes* Reexamination and Accompanying Claim Charts in *inter partes* reexamination Control No. 95/002,332 for the '868 Patent.

30. Attached as Exhibit 2036 is a true and correct copy of a Request for *Inter Partes* Reexamination and Accompanying Claim Charts in *inter partes* reexamination Control No. 95/002,305 for the '208 Patent.

I, the above-named Declarant, hereby 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 Section 1001 of Title 18 of the United States.

Executed on this 7<sup>th</sup> day of December, 2018.



Mark J. DeBoy