

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMERICAN NATIONAL MANUFACTURING INC.,
Petitioner,

v.

SLEEP NUMBER CORPORATION
f/k/a SELECT COMFORT CORPORATION,
Patent Owner.

Case No. IPR2019-00500
Patent No. 9,737,154 B2

**DECLARATION OF LUKE TOFT
IN SUPPORT OF PATENT OWNER'S OPPOSITION TO
PETITIONER'S MOTION FOR ADDITIONAL DISCOVERY**

Sleep Number Corp.
EXHIBIT 0077

I, Luke Toft, declare as follows:

1. I am an attorney at the law firm Fox Rothschild LLP, and I am one of the attorneys representing Sleep Number Corporation f/k/a Select Comfort Corporation (herein “Sleep Number”) in the above matter initiated by American National Manufacturing, Inc. (“ANM”).

2. I have first-hand knowledge of the information stated in this Declaration, which I submit in support of Patent Owner’s Opposition to Petitioner’s Motion for Additional Discovery.

3. I am a member of the team representing Patent Owner in the following IPR proceedings: IPR2019-00497 (U.S. Pat. No. 8,769,747), IPR2019-00500 (U.S. Pat. No. 9,737,154), and IPR2019-00514 (U.S. Pat. No. 5,904,172) (“IPR proceedings”). I am also a member of the team representing Patent Owner in the following related district court cases (“District Court Case”): *Sleep Number Corporation v. American National Manufacturing Inc.*, 5:18-cv-00357(AB)(SPx) (C.D. Cal. 2018) and *Sleep Number Corporation v. Sizewise Rentals, LLC*, 5:18-cv-00356(AB)(SPx) (C.D. Cal. 2018).

4. Exhibit 2076 is a true and correct copy of a December 11, 2019 email from ANM’s counsel to the Board attaching Petitioner’s Chart of Proposed Additional Discovery Requests.

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5. Exhibit 2077 is a true and correct copy of the EDGAR Search Results webpage <https://www.sec.gov/cgi-bin/browse-edgar?action=getcompany&CIK=0000827187&type=10-K&dateb=&owner=exclude&count=40>, which I accessed on December 30, 2019.

6. Exhibit 2078 is a true and correct copy of a November 21, 2019 email from ANM's counsel to Sleep Number's counsel attaching Petitioner's Proposed Additional Discovery Requests.

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

Dated: December 31, 2019

s/Luke Toft

Luke Toft (Reg. No. 75,311)

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Sleep Number Corp.