

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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TIDE INTERNATIONAL (USA), INC.,  
Petitioner,

v.

UPL NA INC.,  
Patent Owner.

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Case IPR2020-01113  
Patent 7,473,685

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**DECLARATION OF BAILEY K. BENEDICT IN SUPPORT OF  
PETITIONER'S MOTION FOR *PRO HAC VICE* ADMISSION**

**DECLARATION OF BAILEY K. BENEDICT IN  
SUPPORT OF PETITIONER'S MOTION FOR *PRO HAC*  
*VICE* ADMISSION**

I, Bailey K. Benedict, hereby declare the following:

1. I am a member in good standing of the state Bar of Texas, as well as the U.S. Court of Appeals for the Federal Circuit; U.S. District Court for the Eastern District of Texas; U.S. District Court for the Southern District of Texas; and U.S. District Court for the Western District of Texas.
2. I have not been suspended or disbarred from practice before any court or administrative body.
3. I have never had an application for admission to practice before any court or administrative body denied.
4. No sanction or contempt citation has been imposed against me by any court or administrative body.
5. I have read and will comply with the Office Patent Trial Practice Guide, as updated by the August 2018 Updated, 83 Federal Register 39,989 (Aug. 13, 2018) and the Board's Rules of Practice for Trials set forth in part 42 of Title 37 of the Code of Federal Regulations.
6. I will be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

7. I have not applied to appear pro hac vice before the Office in any other proceedings during the past three years.
8. I am an experienced litigation attorney with more than 8 years of experience representing clients in patent cases with a particular focus on chemicals, oil-and-gas technology and equipment for exploration, drilling, and production, and consumer goods. I have also litigated patent cases relating to software, pharmaceuticals, and 3D printing. I regularly litigate patent cases in various forums including the United States Court of Appeals for the Federal Circuit and federal district courts. Through my experience in patent litigation matters, I have represented clients in many phases of litigation including discovery, Markman hearings, jury trials, bench trials, and appeals. My biography is attached hereto as Exhibit A.
9. I am serving as litigation counsel for Petitioner in the co-pending litigation against Patent Owner in the Central District of California. My role in the case has been to use my education and background in chemical engineering to focus on the relevant technical issues.

I 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 Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

Date: April 26, 2021

/Bailey K. Benedict/

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# APPENDIX A

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