UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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YITA LLC,
Petitioner,

v.

MACNEIL IP LLC,
Patent Owner.

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DECLARATION OF RYAN GRANGER

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I, Ryan Granger, declare as follows:

I.   INTRODUCTION

1.   I have been asked to provide my testimony on behalf of patent owner MacNeil IP LLC ("MacNeil" or "Patent Owner") in connection with *inter partes* review ("IPR") proceedings in IPR2020-01139 and IPR2020-01142 initiated by Yita LLC ("Petitioner"). I understand that IPR2020-01139 involves U.S. Patent No. 8,382,186 (the "'186 Patent"), titled "Vehicle Floor Tray" by named inventors David F. MacNeil and Scott A. Vargo, and that the '186 Patent is currently assigned to MacNeil. EX1001 (IPR2020-01139). I understand that IPR2020-01142 involves U.S. Patent No. 8,833,834 (the "'834 Patent"), titled "Molded Vehicle Floor Tray and System" by named inventors David F. MacNeil and Scott Vargo, and that the '834 Patent is currently assigned to MacNeil. EX1001 (IPR2020-01142).

2.   I understand that in IPR2020-01139, Petitioner challenged Claims 1-7 of the '186 Patent as allegedly being unpatentable under 35 U.S.C. § 103 in view of certain alleged prior art references. *See* Paper 3 (IPR2020-01139) ("Petition-01139") at 27. Specifically, I understand that Petitioner challenged Claims 1-7 of the '186 Patent on the following ground:

- Ground 1: Claims 1-7 under 35 U.S.C. § 103 as allegedly being obvious over Rabbe (EX1005 (IPR2020-01139)) in view of Yung

(EX1006 (IPR2020-01139)) and Gruenwald (EX1007 (IPR2020-01139)). *See id.*

3.   I understand that in IPR2020-01142, Petitioner challenged Claims 1-15 of the '834 Patent as allegedly being unpatentable under 35 U.S.C. § 103 in view of certain prior art references. *See* Paper 3 (IPR2020-01142) ("Petition-01142") at 23. Specifically, I understand that Petitioner challenged Claims 1-15 of the '834 Patent on the following grounds:

- Ground 1: Claims 1, 4, 5, 8, 9, and 12-15 under 35 U.S.C. § 103 as allegedly being obvious over Rabbe (EX1005 (IPR2020-01142)) in view of Yung (EX1006 (IPR2020-01142)) and Gruenwald (EX1007 (IPR2020-01142)). *See id.*

- Ground 2: Claims 2, 3, 6, 7, 10, and 11 under 35 U.S.C. § 103 as allegedly being obvious over Rabbe (EX1005 (IPR2020-01142)) in view of Yung (EX1006 (IPR2020-01142)), Gruenwald (EX1007 (IPR2020-01142)), and Sturtevant (EX1011 (IPR2020-01142)).[1] *See id.*

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[1] Rabbe, Yung, Gruenwald, and Sturtevant have the same exhibit numbers in both proceedings. *See* Petition-01139 at v; Petition-01142 at vi. In the remainder of my

4.   I also understand that the Board instituted review of all Challenged Claims in both proceedings upon consideration of the Petitions and Patent Owner's Preliminary Responses. *See* Paper 17 (IPR2020-01139) ("Decision-01139") at 2; Paper 17 (IPR2020-01142) ("Decision-01142") at 2.

5.   I am familiar with the technology at issue in the '186 and '834 Patents. I have been asked to provide my technical review, analysis, insights, and opinions regarding the '186 Patent, the '834 Patent, and certain of the prior art references that form the basis for the grounds of unpatentability set forth in the Petitions, as well as opinions related to how WeatherTech's products practice certain claims of the '186 and '834 Patents and the commercial success of WeatherTech's patented products.

6.   In reaching the opinions stated herein, I have considered the materials identified in Section III in the context of my own education, training, research, and knowledge, as well as my personal and professional experience.

7.   I make this Declaration based on my own personal knowledge and, if called upon to testify, would testify competently to the matters contained herein.

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analysis, I refer to each reference by exhibit number without specifying a proceeding.

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