

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

YITA LLC,
Petitioner,

v.

MACNEIL IP LLC,
Patent Owner.

SUPPLEMENTAL DECLARATION OF RYAN GRANGER

I, Ryan Granger, declare as follows:

1. Unless otherwise stated, the facts stated in this Declaration are based on my personal knowledge.

2. I joined WeatherTech in 2010 as a Product Development Specialist. I worked on product categories such as side window deflectors, floor trays and cargo liners. I have worked on floor tray development since I joined the company. Currently, I am Vice President of Product Development. In this position, I oversee the development and design of many product categories that WeatherTech sells, one of which is the WEATHERTECH FLOORLINER product line.

3. In my declaration submitted as Exhibit 2042 in IPR2020-01139 and IPR2020-01142, I provide a table showing the number of sets of WeatherTech FloorLiner floor trays sold, the number of new light vehicles sold in the US, and WeatherTech's gross revenue from the sale of FloorLiners, by year, for the years 2004 through 2020. *See* Exhibit 2042, ¶73. As indicated in my declaration, the source of the information in Column 3 of the table in paragraph 73, captioned "Number of new car, SUV and light truck vehicles sold in US," is <https://tradingeconomics.com>, as found on February 23, 2021. *See* Exhibit 2042, ¶73. Based on my knowledge of vehicle sales data, I believe this data to be accurate. This website is a reputable source for this type of data and one that I

consider trustworthy. I and others at WeatherTech regularly use data from this website in the ordinary course of business. It is one of many websites that WeatherTech personnel rely on in the ordinary course of business.

4. The information set forth in Column 2 of the table in paragraph 73 of my declaration, captioned “Number of Sets Shipped to Customers,” and the information set forth in Column 4 of the table in paragraph 73 of my declaration, captioned “Gross Revenue from Customers purchasing WeatherTech FloorLiners, USD,” is a summary of sales and gross revenue information contained in business records maintained in the ordinary course of business by WeatherTech. I have verified the accuracy of this data.

5. In paragraph 75 of my declaration, I state that for all WeatherTech FloorLiners sold in 2020, the percentage of foreign sales was 6%. *See* Exhibit 2042, ¶75. This information is a summary of information contained in business records maintained in the ordinary course of business by WeatherTech. I have verified the accuracy of this data.

6. In paragraph 37 of my declaration, I explain that Exhibits 2090 through 2095 are claim charts applying Claim 1 of the ’186 Patent to each of six representative floor trays made by WeatherTech. *See* Exhibit 2042, ¶37. Specifically:

- EX2090, Tool No. 02554, in which is thermoformed the passenger’s

side floor tray for the 2014 – 2018 Chevrolet Silverado / Sierra 1500/2500HD/3500HD Double Cab;

- EX2091, Tool No. 00814, in which is thermoformed the passenger's side floor tray for the 2013 – 2018 Dodge RAM 1500 Quad Cab;
- EX2092, Tool No. 01846, in which is thermoformed the passenger's side floor tray for the 2014 – 2018 Jeep Wrangler JK 4 Dr. Unlimited;
- EX2093, Tool No. 00944, in which is thermoformed the passenger's side floor tray for the 2013 – 2018 Toyota 4Runner / 2014 – 2017 Lexus GX460;
- EX2094, Tool No. 00804, in which is thermoformed the passenger's side floor tray for the 2015 – 2018 Ford Escape; and
- EX2095, Tool No. 00840, in which is thermoformed the passenger's side floor tray for the 2013 – 2017 Honda Accord.

7. Each of Exhibits 2090 through 2095 contains annotated photographs. With minor exceptions, that I explain below, the photographs included in Exhibits 2090 through 2095 are true and correct copies of photographs of the respective floor trays thermoformed from the tool numbers indicated for each exhibit, some of which illustrate the floor trays installed in a respective vehicle for which they were custom-designed, as well as true and correct copies of photographs of sheets of thermoplastic material used to thermoform WeatherTech

floor trays.

8. In Exhibit 2091, the image appearing on page 1 is an image of a floor tray thermoformed using Tool No. 02554 instead of a tray thermoformed from Tool No. 00814. *Compare* Exhibit 2090 at 1 *with* Exhibit 2091 at 1. Although page 1 of Exhibit 2091 inadvertently illustrates a different floor tray, it is still my opinion that a floor tray thermoformed from Tool No. 00814 for 2013-2018 Dodge Ram 1500 Quad Cab (PS) is “a vehicle floor tray thermoformed from a sheet of thermoplastic polymeric material of substantially uniform thickness” as recited in Claim 1 of the ’186 Patent, as illustrated, for example, in the photographs on pages 2-15 of Exhibit 2091.

9. Exhibit 2134 is a Corrected Claim Chart of ’186 Patent Claim 1 as Applied to WeatherTech Tool No. 00814 for 2013 – 2018 Dodge RAM 1500 Quad Cab (PS). The photographs included in Exhibit 2134 are true and correct copies of photographs of the respective floor tray thermoformed from the tool number indicated, some of which illustrate the floor tray installed in a respective vehicle for which it was custom-designed, as well as a true and correct copy of a photograph of sheets of thermoplastic material used to thermoform WeatherTech floor trays.

10. In Exhibit 2093, the image on page 12 of a shoe positioned on top of a WeatherTech floor tray is an image of a shoe on top of a floor tray

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