

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

YITA LLC,
Petitioner,

v.

MACNEIL IP LLC,
Patent Owner.

SECOND SUPPLEMENTAL DECLARATION OF RAY SHERMAN

I, Ray Sherman, declare as follows:

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

2. I understand that Patent Owner was permitted to file additional evidence in support of its position. I have been asked to update my declaration to include citations to the newly admitted evidence.

3. My declaration, submitted as Exhibit 2043 in IPR2020-01139 and IPR2020-01142, documents my opinions in connection with these proceedings.

4. Exhibit 2126 is a Corrected Declaration of Ryan Granger (REDACTED). I have reviewed Exhibit 2126.

5. Exhibit 2137 is a Chinese Patent Application No. 87212432 to Yang, filed July 29, 1998, with attached certified English-language translation. I have reviewed Exhibit 2137.

6. Attached as Appendix A to this declaration is a table of the citations in Exhibit 2043, comparing original citations containing Exhibits 2023 or 2042 to updated citations including Exhibits 2126 or 2137. The updated citations in Appendix A replace the original citations in the referenced portion of Exhibit 2043.

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

Executed this 31st day of August, 2021.



Ray Sherman

APPENDIX A

EX2043 Citation Updates		
Page	Original Citation	Updated Citation
17	N/A	2126 Corrected Declaration of Ryan Granger (REDACTED)
17	N/A	2137 Chinese Patent Application No. 87212432 to Yang, filed July 29, 1998, with attached certified English-language translation
57	<i>Id.</i> , EX2042, ¶¶65-67.	<i>Id.</i> , EX2042, ¶¶65-67, EX2126, ¶¶65-67.
77	<i>See</i> EX2042, ¶¶86-155; EX2024, Figs. 3-4; EX1005, Figs. 3-4.	<i>See</i> EX2042, ¶¶86-155; EX2126, ¶¶86-155; EX2024, Figs. 3-4; EX1005, Figs. 3-4.
77	EX2042, ¶¶155-65.	EX2042, ¶¶155-65; EX2126, ¶¶155-65.
81	EX2042, ¶¶86-155.	EX2042, ¶¶86-155; EX2126, ¶¶86-155.
81	<i>See</i> EX2042, ¶¶86-155.	<i>See</i> EX2042, ¶¶86-155; EX2126, ¶¶86-155.
87	EX2023, Cover Page.	EX2023, Cover Page; EX2137, Cover Page.
87	EX2023.	EX2023; EX2137.
87	EX2023, 3 (Chinese Abstract of the Creation).	EX2023/EX2137, 3 (Chinese Abstract of the Creation).
88-89	EX1006, Claim 6; EX2023, 3, 6, 7, 10.	EX1006, Claim 6; EX2023, 3, 6, 7, 10; EX2137, 3, 6, 7, 10.
90	<i>See</i> EX1006, ¶11; EX2023, 7.	<i>See</i> EX1006, ¶11; EX2023, 7; EX2137, 7.
94	EX2023, 7.	EX2023, 7; EX2137, 7.
96	<i>See</i> EX1006, Claim 6; EX2023, 3, 6, 7, 10.	<i>See</i> EX1006, Claim 6; EX2023, 3, 6, 7, 10; EX2137, 3, 6, 7, 10.
99	<i>See</i> EX2042, ¶¶86-155.	<i>See</i> EX2042, ¶¶86-155; EX2126, ¶¶86-155.

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