

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NEW WORLD MEDICAL, INC.,
Petitioner,

v.

MICROSURGICAL TECHNOLOGY, INC.,
Patent Owner.

Case IPR2020-01573

U.S. Patent No. 9,107,729

EXHIBIT 2001
DECLARATION OF TERESA M. SUMMERS, ESQ.
IN SUPPORT OF PATENT OWNER'S MOTION FOR
PRO HAC VICE ADMISSION UNDER 37 C.F.R. § 42.10(c)

DECLARATION OF TERESA M. SUMMERS, ESQ.

I, Teresa M. Summers, hereby declare the following under penalty of perjury:

1. I am an attorney-at-law and Consulting Counsel with the law firm Wiley Rein LLP. I am over the age of 18, and I make this declaration in support of the patent owner's motion for my *pro hac vice* admission based on my personal knowledge.

2. I am an attorney licensed and admitted to practice in the Commonwealth of Virginia and the District of Columbia, where I have been admitted since 2003 and 2004, respectively. I am a member in good standing of both the Virginia Bar and the Bar of the District of Columbia.

3. In the past three years, I have appeared *pro hac vice* before the United States Patent and Trademark Office in the following proceedings: IPR2016-00908, IPR2016-01048, IPR2016-01049, IRP2016-01050, and IPR2016-01051.

4. I practice in the field of intellectual property, including patent litigation, and have done so for over seventeen (17) years.

5. I am admitted to practice before, among others, the Court of Appeals for the Federal Circuit and all state courts in Virginia. I have also been admitted to practice and have appeared *pro hac vice* before, among others, the United States District Courts for the District of Connecticut, the District of Delaware, the District of New Jersey, and the District of Hawaii. I have also appeared before the United

States International Trade Commission, the Court of International Trade, and practice regarding trademark matters before the Trademark Trial and Appeal Board.

6. I clerked at the Court of Appeals for the Federal Circuit.

7. I have extensive experience in litigating patent infringement matters. I have been litigating patent infringement cases since my admission to the bar in 2003. I have been lead counsel in such cases and have appeared before the Court of Appeals for the Federal Circuit several times regarding appeals in patent infringement cases.

8. I represent Patent Owner MicroSurgical Technology, Inc., in an intellectual property dispute pending at the District of Delaware: *MicroSurgical Technology, Inc. v. New World Medical, Inc.*, Civil Action No. 1:20-754 (D. Del.), which concerns, *inter alia*, the same patent at issue in this proceeding, U.S. Patent No. 9,107,729 (the “’729 patent”). In my role as MicroSurgical Technology, Inc.’s counsel during the course of litigating on behalf of MicroSurgical Technology, Inc., I have become familiar with MicroSurgical Technology, Inc.’s technological innovations and patent portfolio, including the ’729 patent. I have analyzed and studied the ’729 patent and its file history.

9. I have never been denied admission to practice before any court or administrative body. I have never ever been suspended or disbarred from practice

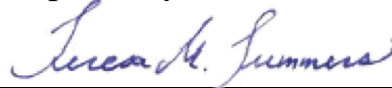
before any court or administrative body. I have never been held in contempt by any court or administrative body.

10. I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in 37 C.F.R., part 42.

11. I understand that 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).

12. 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 are made with the knowledge that willful false statements are punishable by fine, 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 U.S. Patent No. 9,107,729.

Respectfully submitted,



Teresa M. Summers