

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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NEW WORLD MEDICAL, INC.,  
Petitioner,

v.

MICROSURGICAL TECHNOLOGY, INC.,  
Patent Owner.

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Case IPR2020-01573

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

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**DECLARATION OF MAEVE HICKEY IN SUPPORT OF  
PATENT OWNER'S MOTION FOR ADDITIONAL DISCOVERY**

I, Maeve Hickey, make the following declaration pursuant to 28 U.S.C. § 1746:

1. I am a project assistant at the law firm of Wiley Rein LLP.

2. I provide this Declaration in connection with the above-identified Inter Partes Review proceeding. Unless otherwise stated, the facts stated in this Declaration are based on my personal knowledge.

3. Exhibit 2002 is a true and correct copy of Erin G. Sieck *et al.*, *Outcomes of Kahook Dual blade Goniotomy with and without Phacoemulsification Cataract Extraction*, 1 Ophthalmology Glaucoma, 75-81 (2018). This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. However, no alterations, other than these noted markings, have been made to this document.

4. Exhibit 2003 is a true and correct copy of Todd Neff, *UCHealth Eye Center lands global innovation awards*, UCHealth Today, January 6, 2016. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. However, no alterations, other than these noted markings, have been made to this document.

5. Exhibit 2004 is a true and correct copy of the Complaint for Patent Infringement (ECF No. 1) in *MicroSurgical Technology, Inc., et al. v. New World Medical, Inc.*, Case No. 1:20-cv-00754-UNA (D. Del.), filed June 4, 2020. This document has been marked with an exhibit label and page numbers on each page at

the bottom right corner. However, no alterations, other than these noted markings, have been made to this document.

6. Exhibit 2005 is a true and correct copy of a presentation by New World Medical titled “KDB Competitive: Trabectome/Goniotome {MST}, available at <<https://www.learn.newworldmedical.com/wp-content/uploads/2020/04/MST-Trabectome-Goniotome-min.pdf>> and last accessed October 30, 2020. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. However, no alterations, other than these noted markings, have been made to this document.

7. Exhibit 2006 is a true and correct copy of U.S. Patent No. 10,327,947. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. However, no alterations, other than these noted markings, have been made to this document.

8. Exhibit 2007 is a true and correct copy of an October 21, 2015 press release titled “New World Medical to Launch the Kahook Dual Blade at AAO Meeting.” This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. However, no alterations, other than these noted markings, have been made to this document.

9. Exhibit 2008 is a true and correct copy of *University of Colorado a global leader in patents for inventions, innovations*, CU Connections, June 11, 2020.

This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. However, no alterations, other than these noted markings, have been made to this document.

10. Exhibit 2009 is a true and correct copy of Draft Proposed Patent Owner's Additional Discovery Requests.

11. Exhibit 2010 is a true and correct copy of an email conversation between Lawrence Sung, counsel for Patent Owner, and Kyle Deighan, counsel for Petitioner, containing messages from October 6-7, 2020. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. However, no alterations, other than these noted markings, have been made to this document.

12. I make this declaration of my own personal knowledge. if called to testify as to the truth of the matters stated herein, I could and would testify competently.

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

Executed this 30th day of October, 2020, in Maryland.

/s/ Maeve M. Hickey  
Maeve M. Hickey