

**Affidavit of Todd MacAllen**

**Re: Creation of Softwalls and Softblocks without influence from Charles Kaisin**

I, Todd MacAllen of the address 1470 Venables Street, Vancouver, British Columbia, Canada, V5L 2G7, MAKE OATH AND AFFIRM THAT:

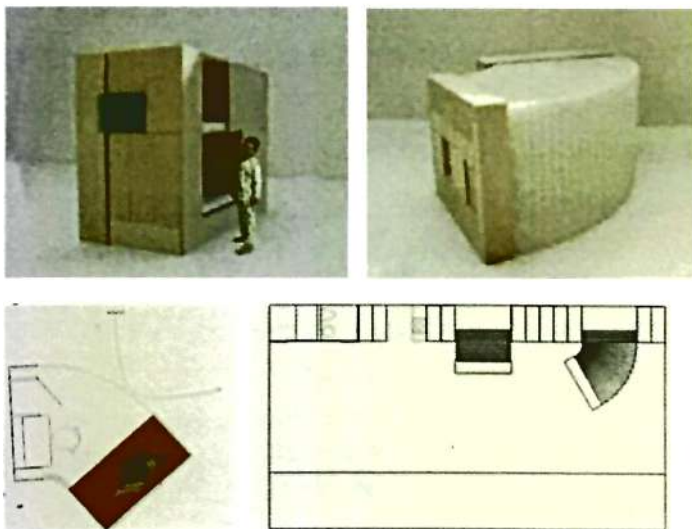
- (i) I am a designer with the following education:
- Bear defense training - CFSC/CRFSC and Wilderness ATC, 2019
  - Licensed helicopter pilot – CPL(H) 2018
  - Master of Architecture, graduated with distinction and completed under Rosetti Scholarship – Dalhousie University, Halifax, Canada, 2000
    - Awarded the Royal Architecture Institute of Canada Medal for top graduating masters student – Dalhousie University, Halifax, Canada, 2000
    - Awarded Canadian Architect Student Award for Excellence for top thesis – Canada, 2001
  - Building Construction onsite apprenticeship training – carpentry and timber woodworking, stonework, concrete, 1995-1999
  - Stonework and Metal Casting – Nova Scotia College of Art and Design, Halifax, Canada, 1994
  - Bachelor of Environmental Design, graduated with distinction and completed L.E. Shaw Scholarship – Technical University of Nova Scotia, Halifax, Canada, 1993
  - Bachelor of Fine Arts – University of Victoria, Victoria, Canada, 1991
  - Sciences – University of Victoria, Victoria, Canada, 1987-1990
- (ii) I met Stephanie Forsythe (“Forsythe”) in 1994 during my Architecture program in Halifax, Canada. That same year, we were invited to be part of a large architecture project in a remote village in Colombia. During our stay in Colombia, Forsythe and I began working together.
- (iii) Our architecture project in Colombia allowed us to observe villager’s houses that were constructed over the water. The villagers, who fished for a living, built simple constructions and open plans, which were flexible and could be adapted to their environment. Families used partition walls in their houses to provide privacy. These partitions walls were movable and allowed airflow over top. We learned that the villagers

would reposition or remove the partition walls to meet different family situations, such as when a family grows with children or parents and their adult children live together.

- (iv) While Forsythe worked as an intern Architect between 1995 and 1998, I apprenticed for onsite building construction. By doing so, I was able to improve my understanding as a designer. In this period, I also worked with her to design and build three houses for clients. In addition to that, I taught design studio and sustainable construction at Technical University of Nova Scotia, in Halifax, Canada.
- (v) Together with Forsythe, I returned to the Master of Architecture program at Dalhousie University in 1999. As part of the Master program, I travelled to Gambia in West Africa to teach architecture and design and to continue studying open-plan houses in villages to accommodate changing family conditions.
- (vi) In 2000, I graduated from the Master of Architecture program. After this, Forsythe and I moved into our first studio at Unit 206 – 869 Beatty Street, Vancouver, Canada, which was a hybrid work and live space. We were inspired by our experiences in Colombia, my experience in Gambia, and the limited amount of space in our studio in 2000, and so we began our study of how to partition space in a light and flexible way.
- (vii) In 2001, Forsythe and I entered the International Design Competition: Northern Style Housing Complex in Aomori (Japan), herein called “Aomori Housing Competition”. The objective of this competition was to mitigate suburban sprawl by designing two hundred apartments on a typical city block in a way that, and together with other aspects of community living, would make it desirable for people to live in the city centre again.
- (viii) Forsythe and I understood that most housing in cities all over the world is challenged by the economics of having to make do with small spaces. With this understanding, Forsythe and I developed designs through drawings and study models for the Aomori Housing Competition with expandible/compressible private spaces within the home that could borrow from and give back to a more generous gathering space for the family than would otherwise be possible. We realized that if bedrooms or rooms for private study and work could fold away when not in use an otherwise small apartment could feel quite spacious.

This work is the genesis for our “soft” concept of flexible interior architecture and furniture.

- (ix) Forsythe and I developed the models and drawings of the expandable/compressible private spaces with translucent flexible walls and ceiling, images of which are shown below and were submitted for the Aomori Housing Competition:



- (x) On February 5, 2002, the final judging of the Aomori Housing Competition took place in Tokyo, Japan. Forsythe and I were awarded the Grand Prize and the Commission to develop the design for a building site. Judges for the Aomori Housing Competition included Tadao Ando (Japan) and Jean Nouvel (France), who are considered by many to be the most famous living architects from Japan and France.
- (xi) In 2002, Forsythe and I further developed the “soft” concept for interior spaces, creating drawing, models, and prototypes. The “soft” concept included ideas related to softhouse, softroom, softwall, softblock, lighting, seating and tables formed from flexible translucent honeycomb. Some of these early prototypes of the softwall and softblock modular system, which were never sold, offered for sale, or made commercially available, are shown below. In the photo on the left, Forsythe is shown expanding a softwall prototype. Another softwall prototype, already expanded, and two softblock prototypes are shown in the background. The photo on the right shown one softwall and one softblock. These early prototypes did not have folding end panels or supports, which we only developed later.

As a results, these prototypes were not self-supporting or vertically stable standing on their own, rendering them prone to collapse.

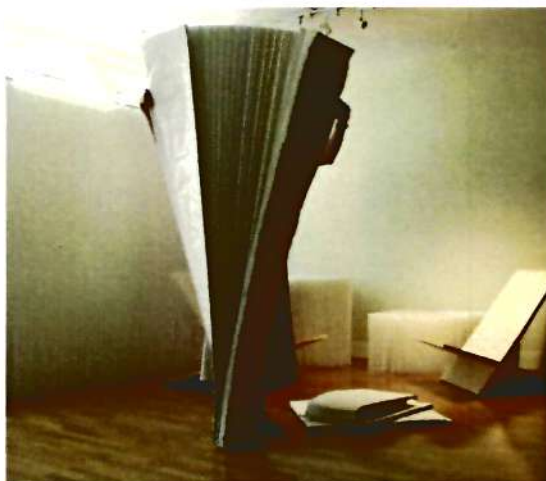


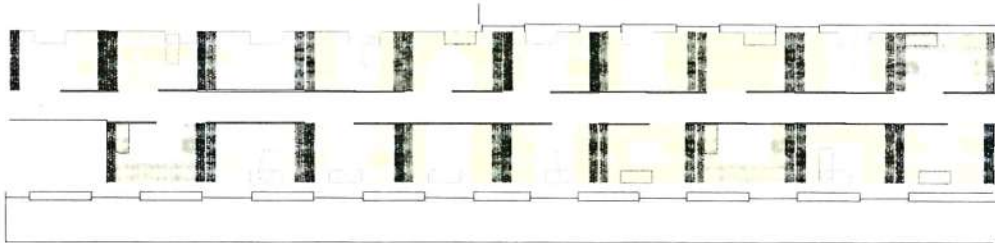
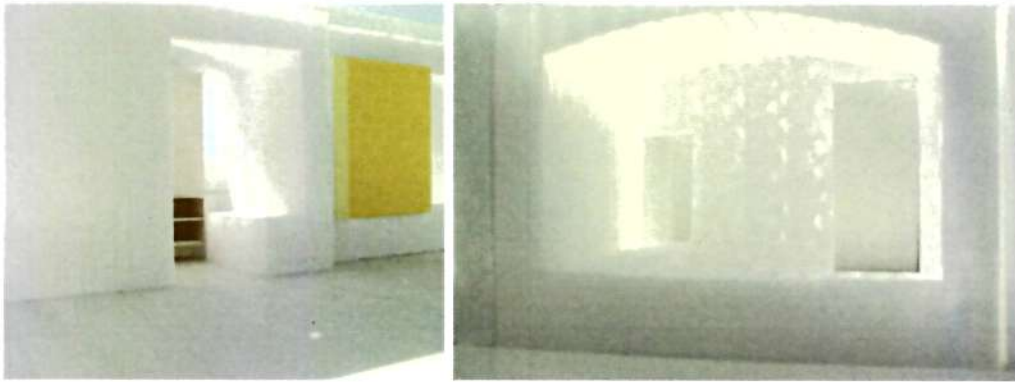
Photo taken 2003



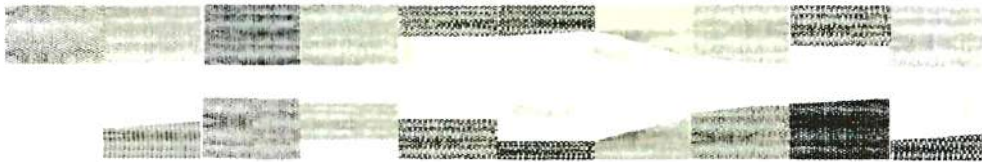
Photo taken 2002

- (xii) In 2003, Forsythe and I used our “soft” concept for interior architecture to enter three competitions, the 2003 First Step Housing Competition (New York, USA), the 2003 Design Beyond East and West Competition (Korea and China), and the 2003 LightTouch Competition (Italy and Singapore).
- (xiii) By May 27, 2003, Forsythe and I registered for the 2003 First Step Housing Competition (New York, USA), a competition sponsored by The Architectural League of New York and Common Ground Community. We submitted our design to the competition by August 25, 2003. The organizers of the competition recognized the value of Single Room Occupancy (SRO) housing in reducing homelessness, but that the quality of space, light, air and materials suffered from the challenges of making 19 small apartments per floor in the typical five story walk up building of New York’s Bowery neighbourhood. The competition brief specifically asked for ways of making the rooms not feel institutional as many homeless people have negative associations with institutional living situations.
- (xiv) For the 2003 First Step Housing Competition, Forsythe and I submitted our softhousing concept that included the ideas and prototypes for flexible honeycomb rooms with integral seating, beds, walls and ceilings along with independent flexible honeycomb benches that could be taken into the common areas or used anywhere. The independent flexible

benches shown do not have the folding end panels. Models and plan view drawings of the softhousing concept that I made with MacAllen are shown below.



19 Unit Floor Plan - Each unit is prefabricated as an individual unit, then installed in an existing building.



19 Unit Floor Plan with some of the units contracted  
Each unit is made from a flexible honeycomb structure and so can contribute space to transform the shared/public place of the hallway.

- (xv) On October 28, 2003, in New York, Forsythe and I were announced as one of five (5) winners of the First Step Housing Competition. The judges for this competition included: Toshiko Mori (Architect and Chair of Architecture Department at Harvard University), Steven Holl (Architect and Professor Columbia University), Michael Bell (Architect and Professor Columbia University), Julie Eizenberg (Architect), Andrew Freear (Director, Rural Studio, Auburn University), Rosalie Genevro (Executive Director of the Architectural League) and Rosanne Haggerty (Founder and President of Common Ground Community) (USA)

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