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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92058781
Party	Plaintiff C5 Medical Werks, LLC
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Signature	/Diana M. Rutowski/
Date	05/18/2021
Attachments	C5 Parikh Declaration.pdf(79449 bytes ) Exhibit 1.pdf(1992846 bytes ) Exhibit 2.pdf(760524 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Registration Nos. 4,319,095; 4,319,096

<p>C5 Medical Werks, LLC,                      Petitioner,            v.  CeramTec GmbH,                      Respondent.</p>	<p>CANCELLATION NO.: 92058781 (Parent) CANCELLATION NO.: 92058796</p>
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**DECLARATION OF SARA PARIKH, Ph.D.**

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1. I am President of Willow Research, LLC, a research and consulting firm that designs and conducts quantitative and qualitative studies of consumers and professionals.
2. I have been retained by counsel for Petitioner C5 Medical Werks, LLC (“C5”), who I understand has been renamed CoorsTek Bioceramics, LLC, in the above-captioned matter to consult with counsel, review documents and other material produced in this matter, form opinions and prepare expert reports, and to be available to testify as to my opinions.
3. Attached hereto as **Exhibit 1** is a copy of the expert report I prepared in connection with the above-captioned matter and its accompanying attachments. As set forth in my report, my opinion is that the survey of orthopaedic surgeons I prepared and conducted establishes that the primary significance of the color pink used in the context of hip implant components is to tell orthopaedic surgeons what type of material the hip implant component is made from. 90% of respondents consider the color pink used in the context of hip implant components to be an indicator of the material composition of the component, and 85% consider

it to indicate that the material is ceramic. These results are confirmed by a nearly identical distribution of results in the control cell.

4. Attached hereto as **Exhibit 2** is a copy of the underlying data for the survey I conducted in connection with the expert report contained in Exhibit 1.

5. In 2016, I was engaged by C5 to serve as an expert to opine on similar subject matter in proceedings between the parties to the above-captioned action before the United States District Court for the District of Colorado in a case captioned *C5 Medical Werks, LLC, et. al. v. CeramTec GmbH*, Case No. 1:14-cv-00643-RBJ (the “District Court Action”). In the District Court Action, I prepared an expert report, was deposed by counsel for CeramTec, and testified at trial on September 1, 2016. There, as here, I opined that the primary significance of the color pink used in the context of hip implant components is to tell orthopaedic surgeons what type of material the hip implant component is made from. I understand that counsel for C5 will file relevant excerpts of my testimony in the above-captioned proceeding.

6. I verify and affirm that to the best of my knowledge, the facts and opinions in my Initial Report are true and correct, and the Initial Report represents my testimony in Petitioner C5’s initial trial period.

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

Signed this 17 day of May, 2021.



Sara Parikh, Ph.D.

# Exhibit 1

**DECLARATION OF SARA PARIKH, Ph.D.**



**C5 Medical Werks, LLC,  
Petitioner**

**v.**

**CeramTec GmbH,  
Respondent**

**A Study of Primary Significance**

*December 24, 2020*

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