

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

RF Cyber CORP.,

Plaintiff,

v.

VISA U.S.A. INC.,

Defendant.

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Case No. 6:22-cv-00697-ADA

JURY TRIAL DEMANDED

**DECLARATION OF RICHARD M. COWELL IN SUPPORT OF
PLAINTIFF RFCYBER CORP.’S RESPONSE IN OPPOSITION TO
DEFENDANT VISA U.S.A. INC.’S OPPOSED MOTION
TO STAY PENDING *INTER PARTES* REVIEW (DKT. 22)**

I, Richard M. Cowell, hereby declare as follows:

1. I have personal knowledge of the facts set forth in this declaration. I am competent to testify as to all matters stated, and I am not under any legal disability that would in any way preclude me from testifying.

2. I am Counsel at the law firm of Fabricant LLP and counsel of record for Plaintiff RF Cyber Corp., in this matter.

3. The exhibits attached to this declaration may contain annotations and/or excerpts of the originals.

4. Attached hereto as Exhibit A is a true and correct copy of Plaintiff’s Disclosures of Asserted Claims and Infringement Contentions, dated May 8, 2023.

5. Attached hereto as Exhibit B are true and correct copies of *Ex Parte* Reexamination Certificate for U.S. Patent No. 8,118,218, issued January 11, 2023; and, *Ex Parte* Reexamination Certificate for U.S. Patent No. 8,448,855, issued April 28, 2023.

6. Attached hereto as Exhibit C is a true and correct copy of an article dated September 9, 2014 entitled Visa Launches Innovative Token service, taken from <https://usa.visa.com/about-visa/newsroom/press-releases.releaseld.9896.html> on June 22, 2023.

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

Executed on June 22, 2023 in Cranford, New Jersey.

/s/ Richard M. Cowell
Richard M. Cowell