

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ARKEMA FRANCE,

Petitioner,

v.

HONEYWELL INTERNATIONAL, INC.,

Patent Owner.

IPR No. IPR2015-00916

U.S. Patent No. 8,710,282

DECLARATION OF ALLYN B. ELLIOTT

I, Allyn B. Elliott, hereby declare under penalty of perjury:

1. I am an attorney with the law firm of Brinks, Gilson & Lione (“BGL”). I have worked at BGL since 2008.
2. I provide this Declaration in connection with the Petition for *Inter Partes* Review (“IPR”) of U.S. Patent No. 8,710,282 (the ’282 patent”), Case No. IPR2015-00916. The facts stated in this Declaration are based on my personal knowledge.
3. Exhibit 1019 is a true and correct copy of a partially-redacted transcript of a Board conference call dated February 24, 2016 that was transcribed by a court reporter. I received a copy of this transcript on February 25, 2016 from DTI Global court reporting services. Page numbers and an exhibit label have been added to the bottom of this document, and Petitioner has redacted portions of the document in response to Patent Owner’s request, but no other alterations have been made.
4. Exhibit 1020 is a true and correct copy of a sealed, unredacted transcript of a Board conference call dated February 24, 2016 that was transcribed by a court reporter. I received a copy of this transcript on February 25, 2016 from DTI Global court reporting services. Page numbers and an exhibit label have been added to the bottom of this document but no other alterations have been made.

5. Exhibit 1021 is a true and correct copy of U.S. Patent Application Publication No. 2012/0184785 A1, which was retrieved online. Page numbers and an exhibit label have been added to the bottom of this document but no other alterations have been made.

6. Exhibit 1022 is a true and correct copy of a partially-redacted transcript of a Board conference call dated April 12, 2016 that was transcribed by a court reporter. I received a copy of this transcript on April 12, 2016 from Thompson Court Reporters. Page numbers and an exhibit label have been added to the bottom of this document, and Petitioner has redacted portions of the document in response to Patent Owner's request, but no other alterations have been made.

7. Exhibit 1023 is a true and correct copy of a sealed, unredacted transcript of a Board conference call dated April 12, 2016 that was transcribed by a court reporter. I received a copy of this transcript on April 12, 2016 from Thompson Court Reporters. Page numbers and an exhibit label have been added to the bottom of this document but no other alterations have been made.

8. Exhibit 1024 is a true and correct copy of a sealed, unredacted transcript of the April 14, 2016 deposition of Dr. Robert D. Lousenberg that was transcribed by a court reporter. I received a copy of this transcript on April 21, 2016 from DTI court reporting services. Page numbers and an exhibit label have

been added to the bottom of this document but no other alterations have been made.

9. Exhibit 1025 is a true and correct copy of a sealed, unredacted transcript of the April 15, 2016 deposition of Dr. Robert D. Lousenberg that was transcribed by a court reporter. I received a copy of this transcript on April 19, 2016 from DTI court reporting services. Page numbers and an exhibit label have been added to the bottom of this document but no other alterations have been made.

10. Exhibit 1026 is a true and correct copy of a partially-redacted transcript of the April 14, 2016 deposition of Dr. Robert D. Lousenberg that was transcribed by a court reporter. I received a copy of this transcript on April 21, 2016 from DTI court reporting services. Page numbers and an exhibit label have been added to the bottom of this document, and Petitioner has redacted portions of the document to redact material that Patent Owner has designated as confidential, but no other alterations have been made.

11. Exhibit 1027 is a true and correct copy of a partially-redacted transcript of the April 15, 2016 deposition of Dr. Robert D. Lousenberg that was transcribed by a court reporter. I received a copy of this transcript on April 19, 2016 from DTI court reporting services. Page numbers and an exhibit label have been added to the bottom of this document, and Petitioner has redacted portions of

the document to redact material that Patent Owner has designated as confidential, but no other alterations have been made.

12. Exhibit 1028 is a true and correct copy of a Certified Translation of Exhibit 1029, the Sianesi reference, prepared by RWS Group Ltd. translation services. I received a copy of this document on March 1, 2016 from RWS Group. Page numbers and an exhibit label have been added to the bottom of this document but no other alterations have been made.

13. Exhibit 1029 is a true and correct copy of the Italian-language document entitled “Fluoroolefins – Note I. Cis and trans 1,2,3,3,3 – pentafluoropropylene”, the Sianesi reference. I received a copy of this document from the University of Wisconsin Library. Page numbers and an exhibit label have been added to the bottom of this document but no other alterations have been made.

14. Exhibit 1030 is a true and correct copy of a Declaration of C.E. Sith of RWS Group Ltd. translation services confirming that Exhibit 1028 is a true and correct translation of Exhibit 1029. Page numbers and an exhibit label have been added to the bottom of this document but no other alterations have been made.

15. Exhibit 1031 is a true and correct copy of U.S. Patent No. 8,592,630, which was retrieved online. Page numbers and an exhibit label have been added to the bottom of this document but no other alterations have been made.

16. Exhibit 1032 is a true and correct copy of a sealed, partially redacted document I received from Patent Owner purporting to be Meeting Minutes from a Honeywell Patent Committee (“PC”) Meeting held on January 11, 2010. Page numbers and an exhibit label have been added to the bottom of this document but no other alterations have been made.

17. Exhibit 1033 is a true and correct copy of a sealed, partially redacted document I received from Patent Owner purporting to be Meeting Minutes from a Honeywell PC Meeting held on April 5 and 13, 2010. Page numbers and an exhibit label have been added to the bottom of this document but no other alterations have been made.

18. Exhibit 1034 is a true and correct copy excerpts from Honeywell’s application for permit revision, which was retrieved online. Page numbers and an exhibit label have been added to the bottom of this document but no other alterations have been made.

19. Exhibit 1035 is a true and correct copy of a document I received from Patent Owner purporting to be Bruce Bradford’s supplemental declaration. Page numbers and an exhibit label have been added to the bottom of this document but no other alterations have been made.

20. Exhibit 1036 is a true and correct copy of sealed provisional application no. 61/392,242 (the ’242 provisional) with highlighting that I added to

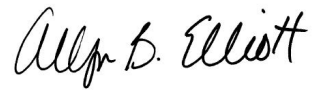
the document to designate whether content originally appeared in the inventors' invention disclosure (Ex. 2029), in the inventors' detailed disclosure (Ex. 2030), or in the Patent Owner's priority application no. 13/195,429 (Ex. 1014), or was drafted by outside counsel for the '242 provisional. Yellow highlighting indicates that the marked text was drafted by outside counsel for the first time for the '242 provisional. Gray highlighting indicates that the marked text was present in application no. 13/195,429, and thus was not new to the '242 provisional. Blue highlighting indicates that the marked text was present in either the invention disclosure or detailed disclosure drafted by Dr. Bektesevic, and thus was not drafted by outside counsel for the '242 provisional. Provisional application no. 61/392,242 was purportedly filed by Patent Owner on October 12, 2010, and was retrieved online. Page numbers, an exhibit label, highlighting, and a key to the highlighting have been added to provisional application no. 61/392,242 but no other alterations have been made.

21. Exhibit 1037 is a true and correct copy of a sealed, partially redacted document I received from Patent Owner purporting to be Meeting Minutes from a Honeywell PC Meeting held on July 12, 2010. Patent Owner filed a more heavily-redacted version of this document as Ex. 2042. Page numbers and an exhibit label have been added to the bottom of this document but no other alterations have been made.

- 22. Exhibit 1038 is reserved.
- 23. Exhibit 1039 is reserved.
- 24. Exhibit 1040 is reserved.

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

Date: May 6, 2016



Allyn B. Elliott