

**UNITED STATES PATENT AND TRADEMARK OFFICE**

---

**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

---

**BOX, INC., and DROPBOX, INC.,**  
**Petitioner,**

**v.**

**TOPIA TECHNOLOGY, INC.,**  
**Patent Owner.**

---

Case No. IPR2023-00432  
U.S. Patent No. 10,754,823

---

**DECLARATION OF L. ROMAN RACHUBA**

I, L. Roman Rachuba, state and declare as follows:

1. I am a member of the bar of the State of Maryland and the District of Columbia, and am admitted to practice in the U.S. Patent & Trademark Office (Registration No. 75,180). I am backup counsel representing Patent Owner, Topia Technology, Inc. in this *Inter Partes* Review. Each of the following statements is made of my own personal knowledge, and if called upon to testify thereto, I could and would competently do so.

2. I have prepared this Declaration in connection with the Patent Owner's Preliminary Response in IPR2023-00432 of U.S. Patent No. 10,754,823.

3. The document filed concurrently herewith as Exhibit 2001 is a true and correct copy of the Hearing Transcript and Order Denying Defendant Egnyte's Motion to Stay in *Topia Technology, Inc. v. Egnyte, Inc.*, C.A. No. 21-1821-CJB .

4. The document filed concurrently herewith as Exhibit 2002 is a true and correct copy of a screenshot of Egnyte Inc.'s Webpage, captured May 8, 2023: <https://www.egnyte.com/dropbox-replacement>.

5. The document filed concurrently herewith as Exhibit 2003 is a true and correct copy of Defendant Egnyte's invalidity contentions in *Topia Technology, Inc. v. Egnyte, Inc.*, C.A. No. 21-1821-CJB.

6. The document filed concurrently herewith as Exhibit 2004 is a true and correct copy of Defendants' joint invalidity contentions in *Topia Technology, Inc. v.*

*Box, Inc., SailPoint Technologies Holdings, Inc., and Vistra, Inc.*, 6:20-cv-01175-ADA and *Topia Technology, Inc. v. Dropbox, Inc., SailPoint Technologies Holdings, Inc., and Clear Channel Outdoor Holdings, Inc.*, 6:21-cv- 001373-ADA.

7. The document filed concurrently herewith as Exhibit 2005 is a true and correct copy of the Scheduling Order in *Topia Technology, Inc. v. Egnyte, Inc.*, C.A. No. 21-1821-CJB.

8. The document filed concurrently herewith as Exhibit 2006 is a true and correct copy of the Scheduling Order in *Topia Technology, Inc. v. Box, Inc., SailPoint Technologies Holdings, Inc., and Vistra, Inc.*, 6:20-cv-01175-ADA.

9. The document filed concurrently herewith as Exhibit 2007 is a true and correct copy of the USPTO Memo regarding Interim Procedure for Discretionary Denials in AIA Post-Grant Proceedings with Parallel District Court Litigation (“*Fintiv* Memo”).

10. The document filed concurrently herewith as Exhibit 2008 is a true and correct copy of the Pro Hac Vice Motion for Heidi Keefe filed by Defendant Egnyte in *Topia Technology, Inc. v. Egnyte, Inc.*, C.A. No. 21-1821-CJB, D.I. 61 (and screenshot of Minute Order granting motion).

11. The document filed concurrently herewith as Exhibit 2009 is a true and correct copy of the Motion to Stay filed by Defendant in *Topia Technology, Inc. v. Box, Inc.*, 3:23-cv-00063-JSC .

12. The document filed concurrently herewith as Exhibit 2010 is a true and correct copy of *Unified Patents LLC v. Justservice.net LLC*, IPR2020-01258, Exhibit 2017 (PTAB 2022).

13. The document filed concurrently herewith as Exhibit 2011 is a true and correct copy of *Unified Patents LLC. v. Topia Technology, Inc.*, IPR2022-00782, Paper 8 (PTAB 2022).

14. The document filed concurrently herewith as Exhibit 2012 is a true and correct copy of the Proof of Service for Complaint filed against Egnyte in *Topia Technology, Inc. v. Egnyte, Inc.*, C.A. No. 21-1821-CJB.

15. The document filed concurrently herewith as Exhibit 2014 is a true and correct copy of the Curriculum Vitae of Dr. Prashant Shenoy.

16. The document filed concurrently herewith as Exhibit 2015 is a true and correct copy of Selected Excerpts from Microsoft Computer Dictionary, Fifth Edition (2002).

17. The document filed concurrently herewith as Exhibit 2017 is a true and correct copy of the Declaration of Dr. Prashant Shenoy.

18. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Respectfully submitted,

/Roman Rachuba /  
L. Roman Rachuba

Date: May 15, 2023