

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GEOTAB INC. AND GEOTAB USA, INC.,
Petitioners,

v.

FRACTUS, S.A.,
Patent Owner.

Case No. IPR2025-01027
Patent No. 11,349,200

**DECLARATION OF MARK J. DEBOY
IN SUPPORT OF PATENT OWNER'S
REQUEST FOR DISCRETIONARY DENIAL**

1. I am counsel of record for Fractus, S.A., (“Patent Owner”) in this proceeding. I have personal knowledge of the matters set forth in this Declaration in Support of Patent Owner’s Brief seeking discretionary denial of institution.

2. On December 6, 2024, Patent Owner filed suit against Petitioner Geotab Inc. and Geotab USA, Inc. in the U.S. District Court for the Eastern District of Texas alleging infringement of U.S. Patent No. 11,349,200 (“‘200 Patent”) and four other patents (U.S. Patent Nos. 8,810,458, 8,456,365, 11,031,677 and 12,095,149). On that same date, Patent Owner filed suit against Verizon, alleging infringement of the ‘200 Patent and four other patents, three of which overlap with the patents asserted against Petitioner. U.S. Patent the ‘200 Patent has not been asserted against Verizon.

3. The District Court litigation is continuing to proceed in accordance with the Court’s Docket Control Order, a true and correct copy of which is filed with Patent Owner’s Brief as Ex. 2004. As set forth in the Docket Control Order, Trial scheduled for September 14, 2026. Ex. 2004 at 1.

4. On June 18, 2025, Defendants served their joint invalidity contentions, which include, *inter alia*, the same invalidity contentions as those raised in this proceeding. A true and correct copy of the public version of the Joint Invalidity Contentions and the specific contentions as to the ‘200 Patent have been filed with Patent Owner’s Brief as Ex. 2002 (*see pp. 71-92*) and Ex. 2003 (*see E-02*).

5. On June 30, 2025, Petitioner moved to stay the District Court litigation and to deconsolidate the case from the claims against Verizon. Ex. 2001 at 9 (entry 50). On July 14, 2025, Patent Owner opposed the motion to stay. Ex. 2001 at 9 (entry 51). The motion to stay is currently pending. Ex. 2001.

6. The '200 Patent issued over three years ago and Petitioner has been aware of patents related to it since at least 2021, when Patent Owner brought patents related to the '200 Patent to Petitioner's attention. Ex. 2005 at ¶¶ 17-18.

7. On July 23, 2025, I downloaded from the Docket Navigator website (<https://search.docketnavigator.com/patent/search>) "time-to-trial" statistics for United States District Court Judge Rodney Gilstrap, true and correct copies of which are being filed concurrently herewith as Ex. 2006.

8. Attached as Ex. 2007 is a true and correct copy of the Reexamination Certificate for the '200 Patent, issued on October 18, 2024.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001.

Dated: September 1, 2025

Respectfully submitted,

/Mark J. DeBoy/

Mark J. DeBoy (Reg. 66,983)

Attorney for Patent Owner