

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

CAPTION HEALTH, INC.
Petitioner

v.

UNIVERSITY OF BRITISH COLUMBIA
Patent Owner

U.S. PATENT NO. 11,129,591

Inter Partes Review No.: IPR2025-01066

**DECLARATION OF JEFFREY C. METZCAR IN SUPPORT OF
PETITIONER'S OPPOSITION TO PATENT OWNER'S REQUEST FOR
DISCRETIONARY DENIAL**

CAPTION HEALTH Ex1041
Caption Health, Inc. v.
University of British Columbia
Trial IPR2025-01066

Case No. IPR2025-01066
Declaration of Jeffrey C. Metzcar in Support of
Petitioner's Opposition to Patent Owner's Request for Discretionary Denial

I, Jeffrey C. Metzcar, declare as follows:

1. I am admitted to practice before the U.S. Patent and Trademark Office (Registration No. 52,027).

2. I am lead counsel for Petitioner, Caption Health, Inc. ("Caption Health"), in this proceeding, IPR2025-01066.

3. I am also counsel of record representing Caption Health and its co-defendant, Caption Health's parent company, in the parallel district court litigation, *University of British Columbia v. Caption Health, Inc. and GE HealthCare Technologies Inc.*, No. 5:24-cv-03200-EKL (N. D. Cal) (the "District Court Litigation").

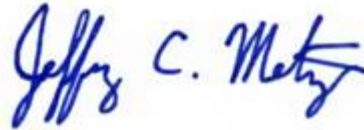
4. As of the date of this filing, Patent Owner has produced a total of 69 documents in discovery in the District Court Litigation bearing Bates range UBC_CAPTION_00000001 - UBC_CAPTION_00003501.

5. I hereby declare that, to my own knowledge and upon information and belief, all statements made herein are true or believed to be true. I further understand that, if these statements are found to be willfully made false statements, they are punishable including by fine or imprisonment according to according to 18 U.S.C. § 1001.

Case No. IPR2025-01066
Declaration of Jeffrey Metzcar in Support of
Petitioner's Opposition to Patent Owner's Request for Discretionary Denial

Dated: September 24, 2025

Respectfully Submitted,



Jeffrey C. Metzcar
Registration No. 52,027
Discovery Place
10050 Innovation Drive, Suite 400
Dayton, Ohio 45342-4934
Telephone: (937) 443-6841
jeff.metzcar@thompsonhine.com