

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

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CAPTION HEALTH, INC.  
Petitioner

v.

UNIVERSITY OF BRITISH COLUMBIA  
Patent Owner

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

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*Inter Partes* Review No.: IPR2025-01066

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**DECLARATION OF MARLA R. BUTLER IN SUPPORT OF  
PETITIONER'S MOTION FOR ADMISSION *PRO HAC VICE* OF**

CAPTION HEALTH Ex1027  
Caption Health, Inc. v.  
University of British Columbia  
Trial IPR2025-01066

Case No. IPR2025-01066  
Declaration of Marla R. Butler in Support of  
Petitioner's Motion for Admission *Pro Hac Vice*

I, Marla R. Butler, declare as follows:

1. I was admitted to the Georgia Bar in 1997, the New York Bar in 2010, and the Minnesota Bar in 2016. I have been practicing law for over 27 years. I have been involved in patent litigation disputes in many jurisdictions (including as lead trial counsel), with many different types of technology, including medical imaging and software, as is relevant to U.S. Patent No. 11,129,591 (the “591 patent”).

2. I am a member in good standing of the Bars of Georgia, New York and Minnesota, and am admitted to practice before the U.S. District Courts for the District of Minnesota, the Eastern District of New York, the Eastern District of Texas, the Northern District of Georgia, the Middle District of Georgia, and the Southern District of New York. I am also admitted to practice before the U.S. Court of Appeals for the Federal Circuit, Georgia Supreme Court, and Minnesota Supreme Court.

3. I am also currently applying for admission to practice *pro hac vice* before the Patent Trial and Appeal Board in the following matters:

- a. MIM Software Inc. v. Progenics Pharmaceuticals, Inc., IPR2025-00630;
- b. MIM Software Inc. v. Progenics Pharmaceuticals, Inc., IPR2025-00725;
- c. MIM Software Inc. v. Progenics Pharmaceuticals, Inc., IPR2025-00726; and

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- d. MIM Software Inc. v. Progenics Pharmaceuticals, Inc., IPR2025-00827.
- e. Caption Health, Inc. v. University of British Columbia, IPR2025-01422.

4. My Georgia Bar membership number is 099917. My New York bar membership number is 4859955. My Minnesota Bar membership number is 0397937.

5. I have never been suspended or disbarred from practice before any court or administrative agency or tribunal.

6. I have never had a court or administrative agency or tribunal deny my application for admission to practice.

7. No court or administrative agency or tribunal has ever imposed sanctions or contempt citations on me.

8. I have read and will comply with the Patent Office Trial Practice Guide and the Board's Rules for Practice for Trials, as set forth in 37 C.F.R. Part 42.

9. I have read and will be subject to the United States Patent and Trademark Office Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

10. I am intimately familiar with the relevant law and factual circumstances in this proceeding. I have participated in reviewing and drafting papers filed thus far

in this proceeding in addition to papers on behalf of Petitioner, Caption Health, Inc. ("Petitioner" or "Caption") in the related *inter partes* review matter challenging U.S. Patent No. 10,751,029 (the "'029 patent") which, as mentioned above, was filed as IPR2025-01422. And I am currently representing Petitioner in the parallel district court litigation in the U.S. District Court for the District of California, in which the '591 patent and the '029 patent, are the patents-in-suit: *University of British Columbia v. Caption Health, Inc. and GE HealthCare Technologies Inc.*, No. 5:24-cv-03200-EKL (N. D. Cal).

11. I am also proficiently familiar with advancements in medical imaging and diagnostic technology including achieving this through the application of artificial intelligence algorithms. I have represented Petitioner's parent company, GE HealthCare Technologies Inc., and its affiliates, in patent and other intellectual property litigation as well as breach of contract matters. The technology involved in some of these disputes includes devices and methods to improve upon medical imaging techniques.

12. 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. §

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1001.

Dated: September 9, 2025

Respectfully Submitted,  
/ Marla R. Butler/  
Marla R. Butler  
Two Alliance Center  
3560 Lenox Road Suite 1600  
Atlanta, Georgia 30326-4266  
Telephone: (404) 407-3680  
marla.butler@thompsonhine.com