

UNITED STATES PATENT AND TRADEMARK OFFICE

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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SHUTTLESLIDE, LLC,  
Petitioner,

v.

SEA SWIVEL INC.,  
Patent Owner.

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PGR2025-00089  
Patent 12,258,111

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**DECLARATION OF MATTHEW S. NELLES  
IN SUPPORT OF PATENT OWNER'S  
DISCRETIONARY DENIAL BRIEF**

Mail Stop "PATENT BOARD"  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

I, Matthew S. Nelles, hereby state and declare pursuant to 28 U.S.C. § 1746 as follows:

1. I am over the age of eighteen (18) and competent to make this Declaration. I have personal knowledge of the facts stated in this Declaration and could testify competently to them if asked to do so.
2. I am an attorney at the law firm of Johnson & Martin, P.A., a law firm headquartered in Fort Lauderdale, Florida and have been practicing law for over thirty (30) years. Specifically, I have been practicing law in the federal courts in the U.S. District Court for the Southern District of Florida (“SDFL”) for over thirty (30) years and am very familiar with the local practices including the Local Rules of Civil Procedure.
3. I was asked by the Patent Owner, Sea Swivel, Inc., to provide testimony regarding the local practice in SDFL as pertains to trial scheduling and how quickly cases get to trial after filing.
4. The Local Rules for SDFL provide for “Differentiated Case Management in Civil Actions” based on the complexity of each case under Local Rule 16.1(a). A true and correct copy of the Local Rules for SDFL are provided at Exhibit 2010.
5. Local Rule 16.1 (a)(2) provides for three different Case Management

Tracks that determine the length of the discovery period and consequently how soon the trial date will be set: (a) an Expedited Track; (b) a Standard Track; and (c) a Complex Track. See Local Rule 16.1 (a)(2) at EX2010 at p. 2010-31.

6. The “Standard Track” case management schedule under the Local Rules is for “a case requiring three (3) to ten (10) days of trial . . . .” See Local Rule 16.1 (a)(2)(B) at EX2010 at p. 2010-31.

7. Under the Local Rules, the “Standard Track” case management schedule requires that “discovery shall be completed within 180 to 269 days from the date of the Scheduling Order.” See Local Rule 16.1 (a)(2)(B) at EX2010 at p. 2010-31.

8. I have reviewed the Declaration of Andrew Oliver at EX2005 and the data discussed therein and confirm that the information provided by Mr. Oliver is consistent with what I would expect as an attorney practicing in SDFL. The courts in SDFL typically keep a tight schedule and move cases towards trial consistent with the Local Rules.

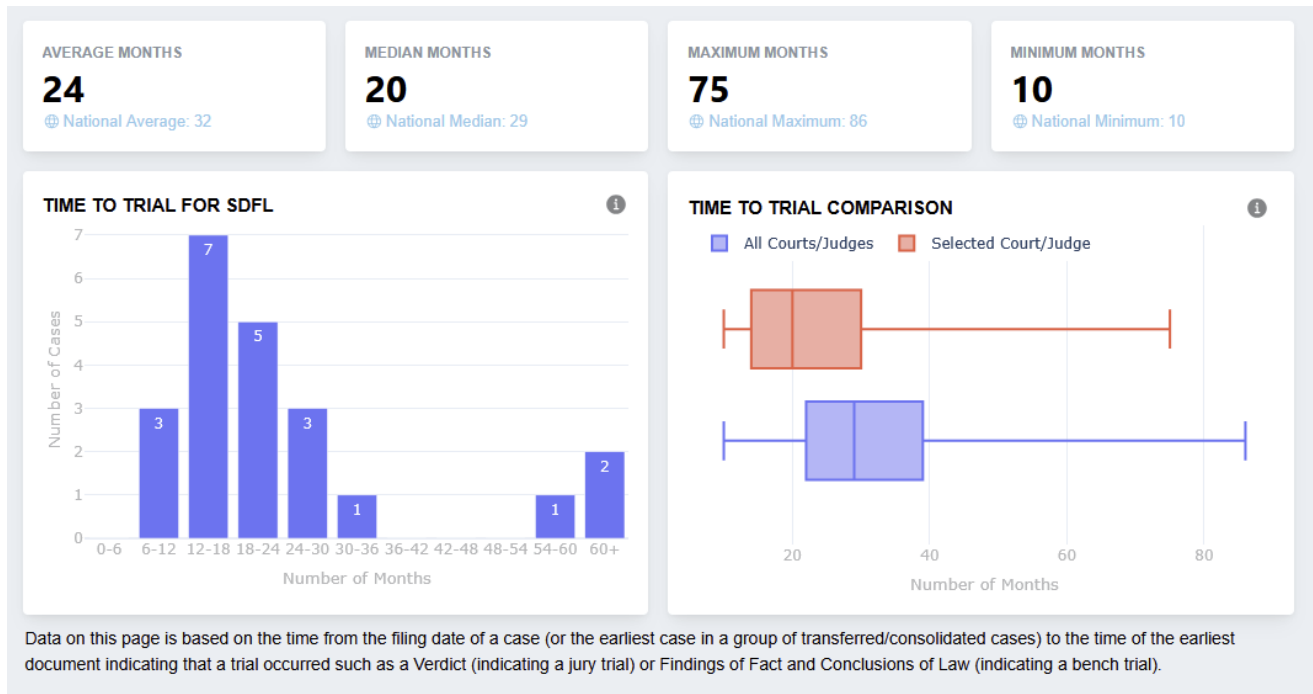
9. I have also reviewed the Complaint (at EX2002) filed by Patent Owner in the parallel patent litigation and U.S. Patent No. 12,258,111 (“the ‘111 patent”) asserted against Petitioner ShuttleSlide LLC. Based on my review, I would expect the trial in the parallel litigation to take no more than 5-6 days, because the case only involves a single patent disclosing a simple rotating motor

mount for securing a trolling motor to the gunwale of a fishing boat. See EX2002 and EX1001.

10. With an estimated 5-6 days of trial, the parallel litigation should fall into the Standard Track category for case management schedules under Local Rule 16.1 and would most likely have no more than 6-7 months of discovery. See Local Rule 16.1 (a)(2)(B) at EX2010 at p. 2010-31; EX2002; EX1001)

11. Thus, after adding in all other standard scheduling items expected in a simple patent case in SDFL, including patent contention disclosures, claim construction briefing and hearing, expert reports and discovery, and dispositive motions, I would expect that, barring any stays, the case would go to trial within 6-7 months from the end of discovery, which would be no more than about 15-16 months from the filing of the Complaint.

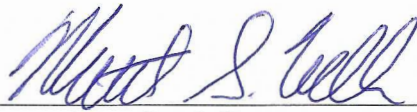
12. A trial start date within 15-16 months for the parallel patent litigation represented by the Complaint at EX2002 is consistent with the time-to-trial data for SDFL provided by Mr. Oliver's Declaration at EX2005. For example, the Docket Navigator time-to-trial data graph provided by Mr. Oliver and reproduced below shows that the time-to-trial time period for SDFL with the most patent cases is the 12-18-month period. This would be consistent with patent cases scheduled as Standard Track cases under Local Rule 16.1 (a)(2)(B).



The referenced parallel patent litigation involving the ‘111 patent would most likely be among those patent cases within the category of cases that go to trial within the 12-18-month time period shown in the above graph.

I hereby declare under penalty of perjury that all statements made herein of my own knowledge are true and correct and that all statements made on information and belief are believed to be true and correct; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Executed on December 8, 2025 within the United State of America.

By:   
Matthew S. Nelles