

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SHUTTLESLIDE, LLC,
Petitioner,

v.

SEA SWIVEL INC.,
Patent Owner.

PGR2025-00089
Patent 12,258,111

**DECLARATION OF MARK BERTA
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, Mark Berta, 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 the president and owner of Patent Owner, Sea Swivel Inc., and the inventor of the rotating trolling motor mount disclosed in U.S. Patent No. 12,258,111 (“the ‘111 patent”) that is at issue in the above-captioned petition for post grant review.

3. I have reviewed the Declaration of Neal Trombley submitted by Petitioner as EX. 1013 in support of its Petition for PGR.

4. Notably, Mr. Trombley does not state anything about himself in his declaration other than that he owns a boat. Mr. Trombley does not discuss his relationship with Petitioner ShuttleSlide and he does not discuss whether he has a financial interest in the outcome of the above-captioned petition for post grant review.

5. It is my understanding, however, that Mr. Trombley does have a financial interest in the outcome of the petition for post grant review.

6. Mr. Trombley is the President of Gulf Atlantic Marketing, Inc. (“Gulf

Atlantic”) as can be seen from the Gulf Atlantic’s website on the Company information webpage at <http://www.gulfatl.net/company.html>. A true and correct copy of Gulf Atlantic’s Company information webpage is provided at EX. 2016.

7. As can also be seen from Gulf Atlantic’s Company information webpage at EX. 2016, Gulf Atlantic distributes and markets marine products.

8. Among the marine products that Gulf Atlantic markets and distributes are trolling motor mounts, as can be seen from Gulf Atlantic’s Products webpage at <http://www.gulfatl.net/products.html>. A true and correct copy of Gulf Atlantic’s Products information webpage is provided at EX. 2018.

9. Among the trolling motor mounts that Gulf Atlantic markets and distributes is the rotatable trolling motor mount accused of infringement in the underlying district court patent litigation by Patent Owner against Petitioner, as can be seen from the photos on Gulf Atlantic’s Home webpage at <http://www.gulfatl.net/home.html>. A true and correct copy of Gulf Atlantic’s Home webpage is provided at EX. 2017.

10. Based on the forgoing facts, I believe that Mr. Trombley as a sales group representative profits from the sales of Petitioner’s rotatable trolling motor mounts and would financially benefit if the ‘111 patent claims were held invalid.

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 States of America.

By: 
Mark Berta