

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Under Armour Inc.
Petitioner

v.

adidas AG,
Patent Owner

Case No. IPR2015-00698

Patent No. 8,092,345

DECLARATION OF LYNNE J. WEBER, PH.D.

1. I am over eighteen years of age, and I would otherwise be competent to testify to the matters set forth herein if I am called upon to do so.

2. I have prepared this Declaration for consideration by the Patent Trial and Appeal Board in the *Inter Partes* Review of U.S. Patent No. 8,092,345 (“the ‘345 patent”).

3. I have written this Declaration at the request of and have been retained by Patent Owner adidas AG (“adidas” or “Patent Owner”) through its counsel, Kilpatrick Townsend & Stockton LLP in connection with the above-captioned *Inter Partes* Review.

4. I am a Managing Director in the Silicon Valley office of Duff & Phelps, LLC. Duff & Phelps is a global valuation and corporate finance advisory firm, with expertise in complex valuation, dispute consulting, M&A and restructuring. Duff & Phelps has more than 1,000 employees serving clients worldwide through offices in North America, Europe and Asia.

5. Duff & Phelps is being compensated for my time in this matter at the rate of approximately \$625 per hour. My expenses arising from my involvement in this matter are being reimbursed. No portion of my fees is dependent upon the outcome of this matter.

6. I have more than 30 years of professional experience in market analysis, market research, market modeling, strategy consulting, and quantitative

analysis. I work cross-industry and have led engagements in dozens of industries. I have led more than 200 strategy analysis consulting engagements in which I have supported my clients' marketing, business, or merger & acquisition (M&A) decisions. My market research experience includes managing more than 200 market research studies involving phone, web, mail, email, focus group, personal, in-store, and central site interviews, conducted in the U.S., Canada, Europe and Asia.

7. My education includes a Ph.D. in Operations Research and a Master's degree in Statistics, both from Stanford University, and a Bachelor's degree in Mathematics from Cornell University.

8. A lengthier description of my education, professional history and qualifications is set forth in my *curriculum vitae*, a copy of which was attached as Appendix A hereto.

9. On or before August 22, 2015, I or my staff under my direction visited the webpage <http://www.runningshoesguru.com/2014/12/the-10-best-running-apps-for-android-for-2015/> and reviewed the article appearing on that webpage. I have or my staff has reviewed Exhibit 2020 and it is a true and correct copy of the article appearing on that webpage.

10. In my experience, the webpage shown in Exhibit 2020 provides information considered by individuals in my industry performing market analysis,

market research, and/or market modeling. This source provides industry-specific information; those in my field would frequently make use of similar industry-specific websites.

11. I have or my staff has reviewed Exhibit 2009, a Company Report published from Sterne Agee entitled “Under Armour Inc., 2Q15 Preview: Spieth, Vonn, and Curry, Oh My. UA’s brand is stronger than ever” dated July 14, 2015. Sterne Agee is a financial services firm that, among other things, reports on the projected financial performance for publicly traded companies. Stern Agee reports are available to Duff & Phelps employees through our subscription to Capital IQ, a financial information and research provider used by many research firms in my industry. Duff & Phelps employees regularly review publications from Sterne Agee to support our consulting services. Exhibit 2009 it is a true and correct copy of the Company Report for Under Armour Inc. dated July 14, 2015.

12. I hereby declare that 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 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.

13. I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 8, 2015

Lynne Weber

Lynne Weber, Ph.D.

Managing Director

Duff & Phelps, LLC

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