

Filed on behalf of:

Paper No. _____

Petitioner

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CONTENT SQUARE SAS,
Petitioner,

v.

MEDALLIA INC.,
Patent Owner.

Case IPR2022-00316
Patent 8,886,552

DECLARATION OF NICHOLAS J. GALLO

Content Square 1009
Content Square v Medallia Inc.
IPR2022-00316

I, NICHOLAS J. GALLO, HEREBY DECLARE

1. I am an attorney duly licensed to practice law in the State of New York. I am a patent attorney registered to practice before the U.S. Patent and Trademark Office. I am an attorney at the law firm of Troutman Pepper Hamilton Sanders LLP. This declaration is based upon my personal knowledge of the matters set forth herein.

2. I submit this declaration with Petitioner's Petition for *Inter Partes* Review of U.S. Patent No. 8,886,552 being filed concurrently herewith. The purpose of this declaration is to authenticate Exhibits 1010, 1011, 1012, and 1013.

3. **Exhibit 1010** is a true and correct copy of the Order Granting Joint Motion to Stay filed December 27, 2021 in *Medallia Inc. v. Content Square SAS*, Civil Docket for Case #: 6:21-cv-00532-ADA (W.D. Tex.) [DI 50], as retrieved from the Court's public docket.

4. **Exhibit 1011** is a true and correct copy of analytics available through Lex Machina regarding the pending case load for patent cases before Judge Alan D. Albright in the Western District of Texas. The analytics shown in Exhibit 1011 were retrieved by querying Lex Machina for patent cases before Judge Albright between December 14, 2017 and December 14, 2021 (*i.e.*, approximately the last four years).

5. **Exhibit 1012** is a true and correct copy of the docket for Case No. 6:21-cv-00532-ADA (W.D. Tex.) as of December 28, 2021.

6. **Exhibit 1013** is a true and correct copy of the Agreed Scheduling Order filed November 8, 2021 in Case No. 6:21-cv-00532-ADA (W.D. Tex.) [DI 47], as retrieved from the Court's public docket.

7. I hereby declare under penalty of perjury that the foregoing is true and correct, that all 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 18 U.S.C. § 1001 and may jeopardize the validity of the application or any patent issuing thereon. If called to testify as to the truth of the matters stated herein, I could and would testify competently.

Dated: December 30, 2021

/Nicholas J. Gallo/

Nicholas J. Gallo

Registration No. 60,758