



I, Irina Hinrichs, pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury that the following is true and correct:

1. I am fluent in both the German and English languages.
2. I am a professional translator of German into English.
3. The attached English translation of the document titled “Declaration of Nils Fuechtjohann” executed on September 30, 2024, including Exhibit A attached thereto consisting of a February 26, 2009 email is, to the best of my knowledge and belief, a true, correct and complete translation of the source document.
4. I declare under penalty of perjury that the foregoing is true and correct. I understand that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. § 1001).

[name]

October 1, 2024

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

OMEGA LINER COMPANY, INC.,

Petitioner

v.

BUERGOFOL GmbH,

Patent Owner.

IPR2023-01372
Patent 9,657,882 B2

DECLARATION OF NILS FUECHTJOHANN

I, Nils Fuechtjohann, hereby declare the following:

1. I am a German citizen and reside in the Federal Republic of Germany.
2. I am an employee of Saertex multiCom GmbH (“Saertex”).
3. Attached hereto as **Exhibit A** is a true copy of an e-mail with the subject line “Complaint” that I sent to Tobias Abfall at Tobias.Abfall@buergofol.de and Dr. Abdel-Kader Boutrid at Abdel.Boutrid@buergofol.de on February 26, 2009.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Undersigned on September [hw:] 30, 2024.

[signature]

Nils Fuechtjohann

Exhibit A

From: Nils Fuechtjohann <n.fuechtjohann@saertex.com>
Sent: Thursday, February 26, 2009 2:58 AM
To: 'Tobias.Abfall@buergofol.de'
'Abdel Boutrid'; Jürgen Alexander; Heinz-Georg Kaiser; Kai Diecks; Norbert Osterhoff; Raymund
Trost
Subject: Complaint

Dear Mr. Abfall,

During several construction projects, our customers complained on a massive scale because the inner foil you supplied was extremely difficult to remove from the liner after installation. Foils with the following order numbers were used:

10803825
10802754

We hereby complain about these two order numbers.

We do not yet have the individual statements from the customers. As soon as we have them, we will send you detailed information.

Due to the foil problem, our customers incur a significantly higher workload, which our customers charge to us. Our customers are currently very annoyed, so I would ask you to respond to the problems described as soon as possible. I will send you a sample of the following foil by post to investigate this issue:

439-10803825/3-13

Please inform me immediately if there have been any deviations in the production of the above-mentioned orders and please inform me shortly after receipt of the samples if there have been any deviations in the foil composition or foil structure.

[bilingual text]/Best regards

p.p. Dr. Nils Füchtjohann

[bilingual text]
Development / Head of Laboratory

[logo:]

SAERTEX
multiCom

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Managing Directors:

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