

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 “2024-05-22 Buergofol Letter (Koppe-Zagouras) to Stark” 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 under the laws of the United States of America 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).



Irina Hinrichs
August 8, 2024

OPPENLÄNDER

RECHTSANWÄLTE [Attorneys]

Mr.
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Dr. Christina Koppe-Zagouras

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May 22, 2024

Buergofol ./ Dr. Kurt Stark

Dear Mr. Stark,

As you know, we represent Buergofol GmbH. Our power of attorney is legally insured. We are contacting you in the following matter:

As you are aware, our client is currently litigating in the District Court of South Dakota against Omega Liner Company, Inc. The subject matter of the proceedings is the infringement of our client's US patent No. 9,657,882. The patent on which the legal dispute is based concerns an invention relating to a tubular film and its use. You are one of the inventors. This is an employee invention.

As part of the proceedings, the validity of the patent was now challenged in an action for revocation, namely with regard to the novelty of the invention. The following documents were submitted to our client in this respect:

Prof. Dr. Albrecht Bach
Dr. Thomas Tröltzsch
Prof. Dr. Markus Köhler
Prof. Dr. Christof Lenz
Dr. Timo Kieser
Dr. Rolf Leinekugel
Dr. Matthias Ulshöfer
Dr. Andreas Hahn
Dr. Donata Beck
Dr. Christina Koppe-Zagouras
Dr. Ulrich Klumpp

Dr. Christian Günther
Dr. Matthias Lorenz
Dr. Felix Born
Dr. Torsten Gerhard
Dr. Christoph Wolf
Dr. Florian Schmidt-Volkmar
Dr. Katharina Köbler
Dr. Malte Weitner
Dr. Corina Jürschik-Grau
Dr. Martin Fink
Dr. Thomas Kreuz

Dr. Anne-Kathrin Bichweiler
Dr. Svenja Buckstegge
Dr. Carl Höfer
Dr. Simon Schmauder
Dr. Clemens Birkert
Dr. Natalie Seitz
Dr. Joachim Ott
Dr. Henrike Schulte
Dr. Jens Ritter
Dr. Damian Schmidt
Arthur Eichmann

Dr. Raphael Höll
Sven Luckert
Dr. Christopher Réti
Dr. Maximilian Stützel
Julia Felger
Julia Sauter
Tobias Gawaz
Anja Niederhofer
Dr. Matthias Tratt
Jessica Ferreira Rocha
Simon Gollasch

Pia Koller
Christian Geyer
Vera Dörrfuß
Anton Müller
Dr. Franziska Schaible
Annika Witte Paz
Franziska Münchow

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- WO 2011/054434A1. The applicant is Huhtamaki Forchheim, you are also a co-inventor here.
- WO 2011/157356A1: Huhtamaki is also the applicant here, the inventor is Mr. Henrik Hummel.
- Japanese Patent No. JP2002/1819: The applicant is Kansui Kogyo K.K., Japan.

At least the first two inventions are well known to you.

As a co-inventor and former employee, you are obliged to support our client in her defense and to cooperate in this. This obligation is based on the duty of care and loyalty of the person who has made an employee invention and on the post-contractual requirement of good faith (see Bartenbach/Volz, *Arbeitnehmererfindungsgesetz* [German Employee Invention Act], § 15 para. 8).

We therefore request that you actively notify our client by **Friday, May 24, 2024** at the latest of your willingness to participate in the defense of the aforementioned US patent. Our client already points out that it will enforce the existing obligations to cooperate in court if necessary and naturally reserves the right to claim damages in the event that the US patent is destroyed.

Yours sincerely,

[signature]

Dr. Christina Koppe-Zagouras
Attorney at Law