

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GODBERSEN-SMITH CONSTRUCTION COMPANY
d/b/a GOMACO CORPORATION
Petitioner,

v.

GUNTERT & ZIMMERMAN CONST. DIV., INC.,
Patent Owner.

Case IPR2020-01698
U.S. Patent No. 10,029,749

**DECLARATION OF TODD GREENWOOD
IN SUPPORT OF PATENT OWNER'S RESPONSE**

I, Todd Greenwood, declare:

1. I have personal knowledge of the facts stated herein and can testify competently as to those facts. I make this declaration in support of the need in the paving industry for a slipform paver that can on-the-fly reposition its swing legs and crawler tracks and quickly and easily maneuver around obstacles.

Additionally, I make this declaration in support of customer praise of G&Z's slipform pavers with the SmartLeg / AccuSteer technology, which satisfied the paving industry's need.

2. From June 1985 to December 2016, I was employed at Kiewit Corporation, one of America's largest and most respected construction companies, where I held several positions including senior equipment manager. In this position, I was responsible for purchasing paving equipment for construction projects. One of my primary responsibilities as senior equipment manager at Kiewit was to research and recommend paving equipment, such as slipform pavers, to purchase for construction projects. For roughly 24 years, until G&Z's release of its slipform pavers with the SmartLeg / AccuSteer technology, I would mainly recommend the purchase of GOMACO's slipform pavers for construction jobs because GOMACO produced quality machines and treated Kiewit well. That is, I was a loyal GOMACO customer due to customer satisfaction and a great working history.

3. However, as construction projects transitioned from rural to urban environments, slipform paving changed, and I realized that GOMACO's slipform pavers were not thoroughly equipped to handle this change. Unlike rural paving with straight, long, and wide open stretches of road with limited obstacles, urban paving has narrow, short paving regions with a large number of obstacles. As such, in an urban paving environment a slipform paver's swing legs have to be constantly repositioned, *e.g.*, from paving to transport mode, and its crawler tracks placed in a 90 degree steering position into the transport mode to walk the slipform paver from one paving site to another. Further, the slipform paver has to move around obstacles such as fire hydrants, light poles, and signs. To accomplish this with GOMACO's slipform pavers, workers had to manually raise each crawler track off the ground and swing each swing leg to the desired position while also manually unpinning and repining the steering, and every time each swing leg had to be changed from one mode to another could easily take at least 3 hours. Also, GOMACO's slipform pavers could not easily maneuver around obstacles given that the slipform paver's steering cylinder offered only limited steering angles and would have to be manually repined to a different location.

4. Given the above drawbacks, I needed a slipform paver that could automatically readjust not only its swing legs to different positions but also its crawler tracks for easy maneuverability and transportation from one paving site to

another. Indeed, for my urban construction projects I needed a slipform paver that could quickly and easily reposition its swing legs and rotate its crawler tracks to a 90 degree steering position, and additionally have a wide range of steering angles from any swing leg position to maneuver around the urban construction jobsites. It was not just me that requested these slipform options, as other contractors also working in the urban paving environment likewise requested these options for similar reasons, as I discussed above. Indeed, a slipform paving company that could respond to the industry demands by introducing a slipform paver that can on-the-fly reposition its swing legs and crawler tracks and relocate the crawler tracks to a 90 degree steering position for maneuvering and to walk the slipform paver out from a paving mode and into the transport mode would have a license a print money.

5. In 2009, I started to look for a slipform paver that adopted the industry requested options—overcoming the drawbacks of GOMACO’s slipform pavers and the like— when Kiewit secured a large urban construction project that involved urban paving. That is when I discovered G&Z’s SmartLeg / AccuSteer technology, the differences G&Z’s slipform paver with the SmartLeg / AccuSteer technology offered over GOMACO’s lead me to become a fan. I took a major leap of faith in purchasing G&Z’s slipform paver over GOMACO’s given that I had been recommending the purchasing of GOMACO’s slipform pavers for the

past 24 years and had a great working history with GOMACO. Ultimately, it was one of the best decisions I made for Kiewit.

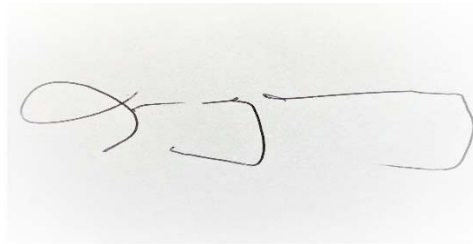
6. G&Z's SmartLeg/ AccuSteer technology was a revolutionary change to the conventional slipform paver. As G&Z's SmartLeg / AccuSteer technology, including slew drives, allow each crawler track to turn under the weight of the slipform paver, as such, the technology allows an operator to maneuver around obstacles by automatically rotating the crawler tracks, almost a full circle, without stopping to make adjustments. In contrast, with GOMACO's slipform pavers the slipform paver would have to stop, and, in turn, workers would have to manually readjust the swing leg and repin the steering cylinder to avoid an obstacle, as I explained above. Thus, G&Z's SmartLeg / AccuSteer technology took the paving industry to a different level.

7. G&Z's SmartLeg / AccuSteer technology significantly reduced the time it took to reposition the slipform paver from one mode to another, as the technology allows an operator to automatically readjust the positions of the swing legs and rotate the crawler tracks to 90 degree steering position to walk the slipform paver from one paving location to another. This revolutionary change was a license to print money.

8. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. I hereby declare 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. I further declare 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 July 22, 2021, in Fort Worth, Texas.

A handwritten signature in black ink, appearing to read 'Todd Greenwood', is written on a light-colored background.

Todd Greenwood
President at Latham Stair and Cabinets

CERTIFICATE OF SERVICE

The undersigned certifies, in accordance with 37 C.F.R. § 42.6(e), that service was made on the Petitioner as detailed below.

<i>Date of service</i>	July 30, 2021
<i>Manner of service</i>	Electronic Filing with the Board
<i>Documents served</i>	DECLARATION OF TODD GREENWOOD IN SUPPORT OF PATENT OWNER'S RESPONSE
<i>Persons Served</i>	Finnegan, Henderson, Farabow, Garrett & Dunner, LLP: Jason Stach Luke J. McCammon David K. Mroz Sonja W. Sahlsten Robert High

/James Hannah/
James Hannah
Registration No. 56,369
Lead Counsel for Patent Owner