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February 17, 2022

*Via E-Mail: morten.halskov@nktphotonics.com
and Via Courier*

Mr. Morten Halskov
Vice President, General Counsel
NKT Photonics A/S
Bregnerødvej 144
3460 Birkerød
Denmark

**Re: Omni Continuum Patent Portfolio
Our File No. OMSC0102A**

Dear Mr. Halskov:

We represent Omni Continuum, one of the companies owned by Dr. Mohammed N. Islam. Omni holds more than a dozen patents covering laser technology, including supercontinuum technology.

As you know, NKT Photonics has, in the past, negotiated with Dr. Islam for rights under his companies' patents. Some of those negotiations occurred under Non-Disclosure Agreements signed in 2014 and 2015. Those negotiations did not result in executed licenses.

It has come to our attention that NKT Photonics is currently selling two supercontinuum lasers in the U.S. for which NKT Photonics requires a license under Omni's patents, namely, the SuperK FIANIUM and the SuperK FIANIUM OCT. As shown in the attached claims charts, those products, and their use, are covered at least by Omni's U.S. Patent Nos. 7,519,253 B1¹ and 8,971,681 B1, respectively. As you may know, EP 1,949,151 B1 (the counterpart to the '253 patent) survived a challenged during a three-day hearing in the Opposition Division.

Omni has no desire to engage in litigation with NKT Photonics. Instead, we would like to discuss with NKT Photonics the option of acquiring Omni Continuum or its patent portfolio as

¹ This patent also has EU and Canadian counterparts: EP 1,949,151 B1 and CA 2,623,380.

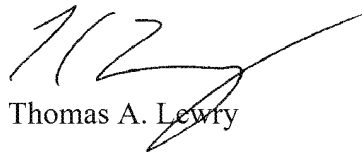
NKT EXHIBIT 1039
NKT v. Omni Continuum
IPR2025-00839

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an alternative to licensing individual patents. Please let me know when you are available to discuss these matters.

Very truly yours,

BROOKS KUSHMAN P.C.

A handwritten signature in black ink, appearing to read 'TAL', with a long, sweeping horizontal line extending to the right.

Thomas A. Lewry

TAL/can
2 Attachments

cc: Dr. Mohammed N. Islam

