

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FREIGHTCAR AMERICA, INC.,
Petitioner,

v.

NATIONAL STEEL CAR LIMITED,
Patent Owner.

Case IPR2025-01046
Patent 8,166,892

DECLARATION OF JUSTIN J. GILLET

I, Justin J. Gillett, hereby declare as follows:

1. I am a partner in the law firm of Knobbe, Martens, Olson & Bear, LLP and I have personal knowledge of the statements made herein.

2. Attached hereto as EX1058 is a true and correct copy of the Amended Joint Claim Construction Chart filed as docket entry 163 in *National Steel Car Ltd. v. FreightCar America, Inc. et al.*, No. 1:24-cv-00594 (D. Del.) (the “District Court Litigation”) on November 10, 2025, omitting exhibits thereto.

3. Attached hereto as EX1059 is a true and correct copy of a document cited in the District Court Litigation as Exhibit 96 and produced in that litigation with production number CN00095541.

4. Attached hereto as EX1060 is a true and correct copy of a document cited in the District Court Litigation as Exhibit 92 and produced in that litigation with production number CN00099533–34.

5. Attached hereto as EX1061 is a true and correct copy of a document cited in the District Court Litigation as Exhibit 171 and produced in that litigation with production numbers NSC031405–07.

6. Attached hereto as EX1062 is a true and correct copy of a document produced in the District Court Litigation with production numbers CN00094712–32.

7. Attached hereto as EX1063 is a true and correct copy of Daniel P. Holbrook, *Duluth, Missabe & Iron Range Equipment, 1883–2004* (2019).

8. Attached hereto as EX1064 is a true and correct copy of a document cited in the District Court Litigation as Exhibit 114 and produced in that litigation with production numbers NSC021540–47.

I declare under penalty of perjury that the foregoing is true and correct.

Executed June 22, 2026, in Irvine, California.

Dated: June 22, 2026



Justin J. Gillett