

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMERICAN FUJI SEAL, INC.

Petitioner,

v.

BROOK + WHITTLE LTD.,

Patent Owner.

Case No.: IPR2025-01176

U.S. Patent No. 11,9671,422

**DECLARATION OF ANDY SHARP IN SUPPORT OF
PATENT OWNER'S PRELIMINARY RESPONSE**

1. I, Andy Sharp, hereby declare as follows:

2. I am the Vice President of Petitioner Brook + Whittle LTD. I have personal knowledge of the facts stated in this declaration, and I can testify competently to them if called upon to do so.

3. I have been involved in the sustainable packaging industry for more than three decades. I am one of the inventors of U.S. Patent No. 11,961,422 (“’422 Patent”) and Brook + Whittle’s GreenLabel® BlockOut™ product, which includes technology developed in connection with the ’422 Patent. I am also involved in the sales and marketing of Brook + Whittle’s products, including the GreenLabel® BlockOut™ product. I am an active member in the sustainability and recycling community and am involved in various outreach initiatives, including discussing our products with the community.

4. Ex. 2029 is a true and correct copy of a news article from Packaging Europe titled, “Winners of the Sustainability Awards 2024 announced!” (November 12, 2024), which I have downloaded. This article correctly documents Brook + Whittle being awarded the Recyclable Packaging trophy for its GreenLabel® BlockOut™ product and its status as an “APR-recognized recyclable, light-blocking shrink sleeve.” This article is available at <https://packagingeurope.com/news/winners-of-the-sustainability-awards-2024-announced/12109.article>.

5. Ex. 2030 is a true and copy of a news article by Packaging Europe, a widely-read packing industry news service, entitled: “Sustainability Awards 2024 Finalist Interview: Brook + Whittle’s recyclable, light-blocking shrink sleeve” (September 24, 2024), which I have downloaded. This article correctly documents the interview given by my company, Brook + Whittle, regarding its GreenLabel® BlockOut™ product and its status as a finalist for the

Sustainability Awards in the Commercialized Recyclable Packaging category and includes an interview with Brook + Whittle. This article is available at <https://packagingeurope.com/features/sustainability-awards-2024-finalist-interview-brook--whittles-recyclable-light-blocking-shrink-sleeve/11916.article>.

6. Ex. 2031 is a true and correct copy of a press release from Alexander Watson Associates titled, “AWA Sleeve Label Awards 2024 - Winners” (October 28, 2024), which I have downloaded. This press release correctly documents Brook + Whittle being awarded the Environmental Category Winner for its GreenLabel® BlockOut™ technology with Super Coffee and recognizes “its innovative packaging solution that represents a significant step forward in the shrink sleeve’s sustainability journey” because “[i]t provides up to 99% light blocking using a clear PET bottle.” This article is available at <https://awa-bv.com/press-release/awa-sleeve-label-awards-2024-winners/>.

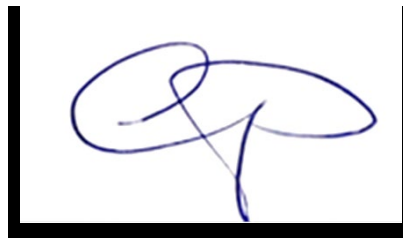
7. Ex. 2032 is a true and correct copy of a LinkedIn post from US Plastics Pact from 2023, which I have downloaded. This post correctly documents Brook + Whittle being a finalist “for the 2023 Sustainable Packaging Innovation Award – Recyclability” for its GreenLabel® BlockOut™ product. This post is available at https://www.linkedin.com/posts/brook-%26-whittle-limited_recyclability-packaging-circularity23-activity-7046505241231462400-PAfE/.

8. Ex. 2033 is a true and correct copy of a LinkedIn post from US Plastics Pact from 2024, which I have downloaded. This post correctly documents Brook + Whittle being a finalist “for the 2024 Sustainable Packaging Innovation Award – Recyclability” for its GreenLabel® BlockOut™ product. This post is available at https://www.linkedin.com/posts/usplasticspact_recyclability-packaging-circularity24-activity-7185993526113918976-gTuF/.

9. Ex. 2038 is a true and correct copy of an email between my Brook + Whittle colleague Samuel Figueroa and Nestle employee Andrew Leonard with subject line “5 Value Pillars of B+W Packaging Sustainability” dated May 1, 2023. I am familiar with this email exchange. It is common practice to seek feedback on our products and services.

10. I declare under penalty of perjury under the laws of the United States of America that all statements made herein of my knowledge are true, and that all statements made on information and belief are believed to be true, and 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 this 16th day of October, 2025 in Amherst, New York.

A handwritten signature in blue ink, consisting of a large, stylized 'A' followed by a vertical line and a horizontal stroke, all enclosed within a black rectangular border.

Andy Sharp