

DECLARATION OF SVEND ERIK NIELSEN

I, Svend Erik Nielsen, declare as follows:

1. I am over the age of 18, have personal knowledge of the facts set forth herein, and am competent to testify to the same.
2. I am employed by Topsoe A/S, formerly Haldor Topsoe A/S, in Lyngby, Denmark, and have been with the company in various roles since 1988. My current position at Topsoe A/S is Fellow for the ammonia process and Proposal Segment Manager, a position I have held for approximately the past six years.
3. I hold a M.Sc. degree in Chemical Engineering from Danish Technical University (DTU) in Lyngby, Denmark, which I obtained in 1985.
4. I am aware that Topsoe, Inc., a wholly owned subsidiary of Topsoe A/S, has petitioned the U.S. Patent and Trademark Office, Patent Trial and Appeal Board, to institute an inter partes review of U.S. Patent No. 11,286,168. I am aware that an inter partes review against the '168 patent has been instituted and is Case No. IPR2025-01454. I have been asked to provide this declaration in connection with that proceeding.
5. As a part of my duties at Topsoe A/S, I author, present, and publish in the area of ammonia technology.
6. In March 2007, I attended the International Fertilizer Industry Association ("IFA") Technical Committee Meeting on "Energy Efficiency and CO2 Reduction, Prospects in Ammonia Production" held in Ho Chi Minh City, Vietnam (the "2007 IFA Meeting").
7. The 2007 IFA Meeting was held on March 12-14, 2007, at The Caravelle Hotel.
8. The 2007 IFA Meeting was an open professional conference organized by the IFA. The conference was advertised in trade publications and in physical and online publications of the IFA. There were no restrictions on attendance for members of the IFA and there was no restriction for members of the fertilizer industry who wished to join the IFA.
9. To my recollection and as confirmed by a list of attendees that I maintained in my files, approximately 67 people attended the 2007 IFA Meeting. The attendees included engineering process managers, technical services leads, executives, licensing managers, and plant directors, among others, from fertilizer manufacturers and related companies. Examples of companies and organizations that sent representatives to the 2007 IFA Meeting include Gulf Petrochemical Industries Co., Egyptian Fertilizers Company, Indian Farmers Fertiliser Cooperative Ltd., Tata Chemicals, Technip, Snamprogetti, SABIC, Petronas Fertilizer (Kedah) SDN BHD, Foskor Ltd., Arrmaz Custom Chemicals, The Mosaic Company, and Petrovietnam Fertilizer and Chemicals Company.

10. The 2007 IFA Meeting was open to the all members of the fertilizer industry through open membership to IFA and there was no expectation or requirement of confidentiality regarding materials presented at the meeting.

11. As an attendee and presenter, I was not required to sign any confidentiality agreement, non-disclosure agreement, or any other agreement restricting my use or disclosure of information presented at the meeting. To my knowledge, no such agreements were offered to or requested from any attendee.

12. There were no restrictions on attendees taking notes, copying materials, or photographing presentations at the 2007 IFA Meeting.

13. While attending the 2007 IFA Meeting, I gave a presentation that I authored, titled "Future Energy Efficiency and CO₂ Reduction Potential" (the "2007 IFA Presentation").

14. The slides accompanying my presentation are the same as those identified as Exhibit 1006 in this proceeding. I have reviewed Exhibit 1006 and confirm that it is a true and correct copy of the slides I presented at the 2007 IFA Meeting.

15. My presentation occurred on Tuesday, March 13, 2007, during the "Global Technology Prospects" session from 2:00-3:15 PM. Three presentations were scheduled for that session. My presentation lasted approximately 25 minutes and was attended by all or nearly all of the 2007 IFA Meeting attendees. During the 2007 IFA Meeting, only one presentation was occurring at any time, and all meeting attendees generally listened to all presentations.

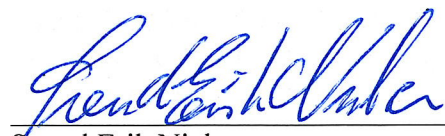
16. I provided my presentation slides to the IFA for publication on their website. The slides I provided to the IFA are the same as those identified in Exhibit 1006. The IFA had a practice of posting presentation materials from their technical committee meetings on their publicly accessible website, www.fertilizer.org, where they could be downloaded by interested members of the public. I subsequently verified that my presentation slides were posted on the IFA website.

17. I provided my presentation to the IFA Technical Committee Meeting without any conditions of confidentiality. Therefore, I was aware that, at least from the date the IFA posted my slides on its website, the entire content of my slides was publicly available.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and 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; and further 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 (18 U.S.C. § 1001).

Executed on March 11, 2026

at Lyngby, Denmark


Svend Erik Nielsen