

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SKECHERS U.S.A., INC.,
“Petitioner”

v.

FAST IP, LLC,
“Patent Owner”

U.S. Patent No. D1,037,641

Title:
FOOTWEAR

**DECLARATION OF ANGUS WARDLAW IN SUPPORT OF PETITION
FOR *INTER PARTES* REVIEW
OF U.S. DESIGN PATENT NO. D1,037,641**

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I, Angus Wardlaw, declare as follows:

I. INTRODUCTION AND ENGAGEMENT

1. I have decades of experience in footwear design, as described in Section II below. I have been asked by Skechers to analyze and provide explanations regarding certain matters relating to those subjects. I was retained in connection with this matter in January 2026.

2. My opinions are based on my years of education, research, and experience with footwear, as well as my investigation and study of relevant materials. In forming my opinions, I have considered and may rely upon the documents and information identified below, as well as all documents and information identified in Skechers' Petition for *Inter Partes* Review of U.S. Design Patent. No. D1,037,641, including the Exhibits I understand will be submitted with the Petition (namely, EX1001 to EX1058). Numbered exhibits cited below refer to exhibits to the Petition.

II. BACKGROUND AND QUALIFICATIONS

3. I have been involved in footwear design, development, and innovation for more than twenty years. My career has included research and development and leadership positions at global footwear companies. I have played a critical role in bringing some of the industry's most famous and award-winning footwear design classics to life, and I have spent years recruiting and managing complete design

teams. I am currently a footwear design and development engineer and the founder of Nimlin Sports Ltd., a footwear consultancy firm based in Hong Kong. My current *curriculum vitae* is attached as Appendix A to this declaration.

4. I obtained my Bachelor of Engineering in 2002 from the Department of Mechanical Engineering at the University of Edinburgh, Scotland. After completing my degree., I started my career on the adidas Innovation Team in 2003. In 2011, I was promoted to Senior Development Engineer within the adidas Innovation Team, focusing on product innovation and development within the running and lifestyle footwear categories. By 2014, I was Director of Future Running, leading a team focused on driving innovation in footwear design.

5. While at adidas, I played a critical role in the design and development of UltraBoost silhouette. When we introduced the Boost technology, I worked closely with the brand design teams to establish how the technology would be visually represented across different sports. We had to define the physical "rules" for the visible TPU pellets—how they were windowed, how they transitioned to the upper, and how we maintained a unified aesthetic language while scaling the technology from running into basketball and golf.

6. It went on to become one of the highest-selling running sneakers in footwear history and a massive cultural lifestyle design icon.

7. I also worked directly on the engineering, material execution, and development of the adidas Energy Boost. In 2013, the Energy Boost won the Red Dot Design Award for best product design. Red Dot Design is a global award, and is widely considered one of the highest design-focused accolades in the world.

8. I was intimately involved in the design and creation of adidas designs widely renowned as lifestyle classic designs. For one example, I was intimately involved in the creation of adidas Bounce, unique, highly visual cushioning technology from the early 2000s, recently relaunched as a highly successful retro lifestyle classic. As another example, I led the technical creation and layout of adidas Adistar Control 5, which was also relaunched as a retro lifestyle product.

9. In 2017, I left adidas to become the Head of Innovation for Footwear and Apparel at ANTA, a position I held until January 2021. ANTA is one of the largest sportswear companies globally, by revenue. During my time at ANTA, I managed a large team of designers and engineers.

10. At ANTA, I built entire innovation departments from the ground up. This included recruiting, mentoring, and managing complete footwear and fashion design teams.

11. From 2022 on, I have worked as a freelance footwear and innovation consultant under my consultancy firm, Nimlin Sports Ltd, advising a number of

major brands on design and engineering matters. Additionally, between 2023-2024, I was Vice President of Footwear Operations at FILA, a major footwear brand.

12. A major part of my role has been setting the structural and aesthetic rules for how footwear looks and performs across different sports. At both adidas and ANTA, I worked at the intersection of brand marketing and design, taking conceptual design briefs and translating them into actionable, technical realities for our design teams. I also established the physical design parameters for different footwear categories (Running, Basketball, Golf). This involved setting design guidelines for heel-to-toe drops, upper containment layouts, lateral stability cages, and traction elements, ensuring that the visual aesthetic of the shoe supported its performance requirements.

13. Beyond individual product lines, my executive experience has centered heavily on building innovation teams and directly managing creative talent. Throughout my career, I have trained and educated creative design teams on essential shoemaking realities. This meant teaching designers how mold parting lines, draft angles, material shrinkages, stitch-and-turn seam allowances, and bonding margins would affect their visual sketches.

14. I directed programs that taught designers how to design to specific factory cost margins. This involved teaching them how to choose between custom 3D molding processes or simpler, flat 2D panel treatments (such as flat heat-presses

or off-the-shelf catalog fabrics) to achieve a premium look without exceeding tooling budgets.

15. Because I have spent decades managing footwear designers and overseeing the process of taking design concepts to the factory floor, I am intimately familiar with how designers think, how they read technical drawings, and what motivates them to combine different materials and styles to hit target price tiers.

16. Additional details regarding my education and employment are set forth in my curriculum vitae, which is attached hereto as Appendix A.

17. I am being compensated for my time spent on this matter at a rate of \$300 per hour, plus expenses. My compensation is not contingent on the outcome of this matter or the opinions I offer. All opinions in this declaration are my own.

III. LEVEL OF SKILL IN THE ART

18. I have been asked to provide my opinions regarding the qualifications and level of skill of a designer having ordinary skill in the field of footwear design (“DOSA”) at the times of December 2019 and September 2023.

19. I am not an attorney. In expressing my opinions, I am relying on certain basic legal principles that have been explained to me.

20. I understand that a “DOSA” is a hypothetical person having ordinary skill in the field of manufacture to which a design pertains. I understand that a

DOSA is not a layperson, but is also not of extraordinary skill. Instead, a DOSA is an individual with the same level of skill as a typical practitioner of the art at issue.

21. Applying those principles, I believe that a DOSA in the field of footwear design in December 2019 or and September 2023 would have had a bachelor's degree in industrial design or a related field and at least a few years of experience designing shoes in collaboration with engineers and manufacturers, or equivalent academic and work experience. Designing footwear is not an insular practice; it is the result of collaboration where design, engineering, and aesthetics meet. Each of these backgrounds are deeply inter-related, and a DOSA would have experience across these fields.

22. My opinions regarding the level of ordinary skill in the field are based on, among other things, my years of experience in footwear design, my understanding of the key qualifications relevant to a person tasked with designing articles of footwear like the one described in the D'641 Patent, and my familiarity with the backgrounds of colleagues and coworkers, both past and present.

23. Although my qualifications and experience exceed those of the hypothetical DOSA defined above, my analysis and opinions are based on the perspective of a DOSA as described above, as of the relevant time frame.

IV. CLAIM CONSTRUCTION

24. I understand that the claim of a design patent is defined by the solid lines shown in the patent's figures and the description of those figures.

25. In the footwear industry, a DOSA must understand the actual mechanics of shoemaking, including pattern cutting, grade lines, material yields, and how factories assemble components on the line.

26. This means that when looking at a patent figure, a DOSA immediately translates 2D lines into physical materials, tooling costs, and factory assembly steps.

27. A DOSA looking at line weights, border outlines, and surface shading would have immediately known whether a drawing represents a flat, flexible material overlay or a dimensional, 3D injection-molded part.

28. A DOSA would have understood that the D'641 patent depicts an article of footwear with a pattern of diamond shapes surrounding the heel.¹

29. A DOSA would have further understood that the D'641 patent's solid boundary lines, and shading on top of the diamond pattern, together indicate that the footwear had a lattice structure with a material overlaying the lattice in a manner that renders the outer surface substantially flat. That the diamonds are still visible under the overlay would further indicate to a DOSA that the overlay is a see-through

¹ All opinions expressed about the D'641 patent were formed after viewing the D'641 Patent, EX1001.

material such as netting or mesh. In short, the solid boundary lines and the surface shading clearly indicate an overlay material covering the lattice underneath. A DOSA would have understood that the overlay material can be a standard, flat 2D panel stitched or laminated over the lattice structure, added to clean up the look.

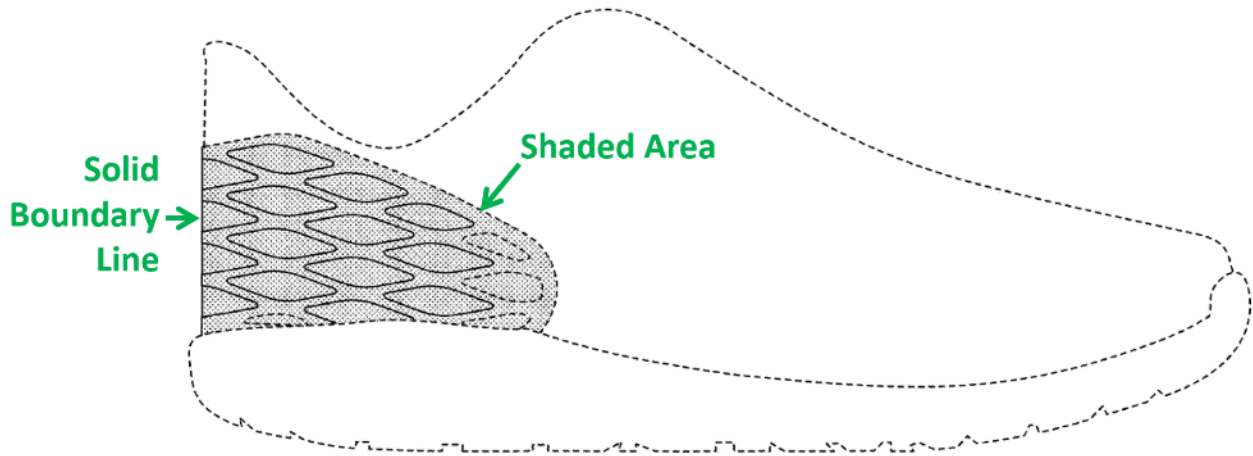


FIG. 1

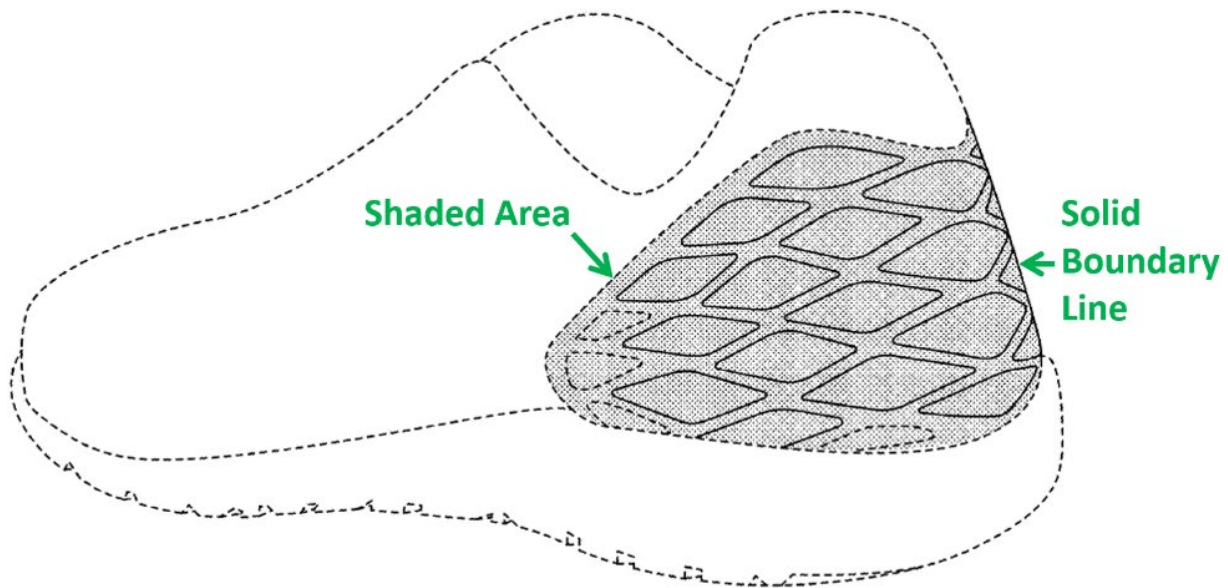


FIG. 4

EX1001, Figs.1, 4 (annotated with green arrows and text).

V. A DOSA WOULD HAVE UNDERSTOOD THAT THE D'641 PATENT CLAIMS MATTER NOT DESCRIBED IN THE '697 APPLICATION

30. I understand that a later-filed patent application may rely on the filing date of an earlier application only if the earlier application described the claimed design clearly enough for a DOSA to understand that the inventor was already in possession of that design at the time the earlier application was made.

31. I further understand that an applicant may not later add new features, not shown in the original filing, and still maintain an earlier filing date. In design patents, I understand that this means an application may not add new features to the drawings such as new surface shading, new details, etc., without losing the filing dates from earlier applications.

32. In short, I understand that if a later-filed design patent application claims a design with new features neither shown in the original application nor described such that a DOSA would understand from the original application that the inventor possessed the new design, it is not entitled to the filing date of the earlier application and receives the filing date on which the new claim was actually filed.

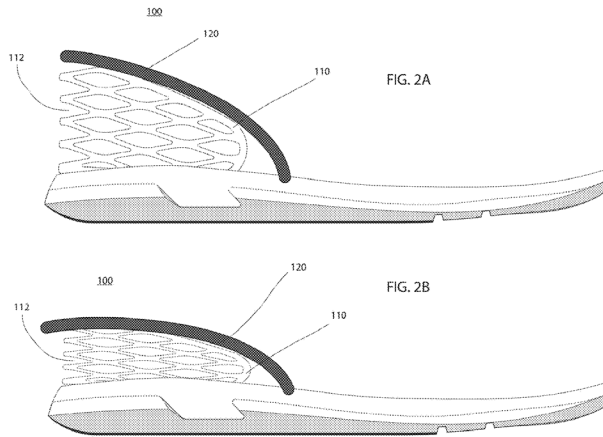
33. As explained above, a DOSA can look at line weights, border outlines, and surface shading and tell right away if a drawing represents a flat, flexible material overlay or a dimensional, 3D injection-molded part.

34. Looking at the '697 application,² a DOSA would have understood the design in the '697 utility application as a deeply dimensional, open 3D structural lattice constructed as a distinct component part separate from the upper.³ To get that functional accordion-style spring and collapse effect shown in Figs. 2A-2B, a DOSA would understand that one could not simply cut the piece out of a flat sheet of material. One would need to manufacture it as a thick, molded 3D part—either using a complex injection mold with mechanical slides⁴ or through industrial 3D printing:

² All of my opinions expressed about the '697 application were formed after viewing the '697 application concurrently with the D'641 Patent, EX1001, EX1014. I understand that the figures in the '697 application are identical across all of the patent applications to which the owners of the D'641 patent claim priority. As such, the opinions expressed here are applicable to all of those patent applications.

³ See EX1057, 2 ("Component design is where creativity meets constraint. It involves tight tolerances, weight optimization, and constant iteration to ensure both functional and aesthetic goals are met.").

⁴ See EX1055, 1 (Injection molding "requires the use of a special machine, known as an injection molding machine, that contains all necessary elements for this molding process. The injection molding machine features a hopper, a heater, a reciprocating screw, a nozzle, and a mold"; see also EX1056, 4 (Complex injection molds often rely on additional components to an injection mold, and "each addition increases the initial cost and introduces a potential point of failure or required maintenance").).



35. The D'641 drawings do not show an open, molded 3D structure. The solid boundary line and the surface shading clearly show a flat overlay material piece covering the lattice underneath.

36. The flat overlay of the D'641 patent, indicated by the boundary line and surface shading covering the entire lattice, are key features defining the appearance of the design and its construction. It discloses a design where the entire outer surface of the pattern is dominated by a flattening fabric overlay.

37. From a design and factory perspective, the '697 utility application and the D'641 design patent each show two significantly different shoe construction methods. To a DOSA, the D'641 patent looks like a standard, flat 2D panel stitched or laminated over a base layer to clean up the look and render the outer surface substantially flat. As will be explained below, this is a common design technique that relies on standardized manufacturing methods.

38. A DOSA would have understood the '697 application as an open, molded 3D plastic piece, while understanding that the D'641 patent was a flat, closed 2D panel assembly. The original utility drawings do not show or describe a flat overlay piece at all.

39. In sum, a DOSA would understand that the design patent is claiming a flat material overlay that was never described in the original utility paperwork.

VI. MOTIVATIONS TO COMBINE THE PRIOR ART

A. Manufacturing Considerations

1. The Design Hierarchy

40. Footwear design generally follows a strict hierarchy of design executions based on cost, complexity, and tooling setup:

Level 1 — Bespoke 3D Mechanical: Custom 3D injection-molded, using bespoke independent tools (the original '697 utility application concept).



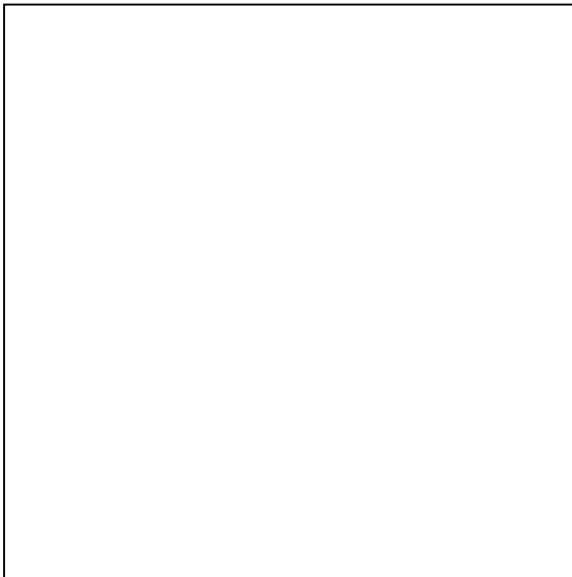


Level 2 — Premium 3D Heat-Press Component: 3D component units created via a heat-press 3D molding process, such as the Regina Miracle "bra molding" process used on the Under Armour Speedform Fortis 2.⁵ This requires specialized 3D press molds (see EX1053):



⁵ The 3D molded uppers in Under Armour's Speedform line are created in collaboration with bra manufacturer Regina Miracle. See EX1052.

Level 3 — Custom-Designed 2D Profile: Custom flat layouts created via flat factory-floor processes, such as flat heat-press lamination (Under Armour Spine), or the Nike Pegasus 31 construction which sandwiches a custom 2D perforated pattern beneath a flat transparent net mesh cover. This mimics the 3D look but keeps the panel assembly totally flat and easy to manufacture.



Level 4 — Commodity / Off-the-Shelf 2D: Selecting a pre-existing textured material directly from a vendor swatch book. Because diamond mesh or embossed patterns are default stock commodities available from virtually every supplier globally, this requires zero tooling investment, zero drawing time, and represents the absolute simplest and cheapest execution of the diamond aesthetic

41. The design hierarchy informs all design decisions from initial conception, and designers treat manufacturing costs as design requirements.⁶

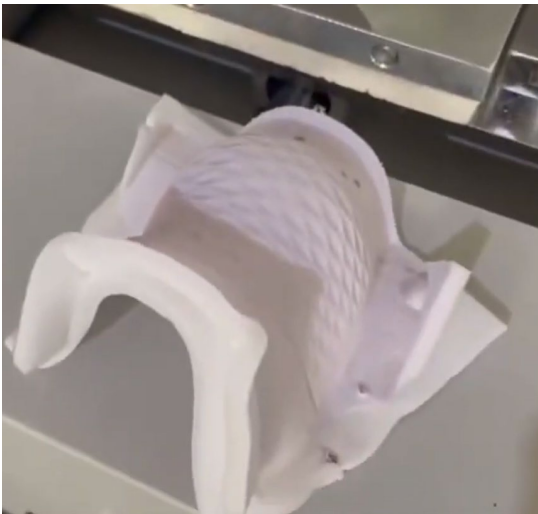
2. Prior Art Execution Examples

(a) *US D987,973 ("Weeks")*

42. A DOSA would have understood that the baseline shape shown in Weeks would be formed from a 3D-heat press molded component using the manufacturing technique described in Level 2 above:



⁶ Design for cost is the practice of treating manufacturing cost as a design requirement rather than a consequence. Instead of designing the part, getting a quote, discovering it's too expensive, then redesigning, design for cost builds the cost constraint into the design process from the beginning.





The injection molding process is known for its precision and ability to consistently produce complex shapes.⁷ The shapes are formed by recesses in the horizontal rows of waveforms press molded into the heel, and the sinusoidal wave mold used in Weeks is non-standard.

(b) Under Armour Speedform Fortis 2 ("Speedform")

43. The premium shoe Speedform uses a Level 2 3D heat-press molding process (Regina Miracle bra molding) to create a structural 3D diamond heel component.⁸ The heel component is materially and visually distinct from the rest of the shoe, which is an athletic sneaker with rounded toes and lace-up construction. It has only minimal structure and is made of flexible, foot-conforming materials.

⁷ Manufacturers rely on injection molding to create "unique designs and features [that] can be easily incorporated to meet specific requirements." *See* EX1054, 3.

⁸ *See generally*, EX1052.

(c) *Under Armour Spine RPM ("Spine")*

44. Under Armour used a Level 3 flat heat-press lamination technique instead—die-cutting diamond windows out of a flat skin layer over a base fabric, keeping the panel architecture completely flat. The heel construction consists of a 2D diamond perforated base layer covered by a flat, transparent net mesh layer. This renders the outer surface flat and highly breathable while still showing the diamond structure underneath.

(d) *Asics Gel Kayano Trainer Knit ("Trainer Knit")*

45. A DOSA would have understood that the Trainer Knit mesh overlay was created with a Level 4 standard textile layout where a flat, off-the-shelf mesh fabric with a pre-applied diamond matrix wraps all the way around the heel counter uninterrupted, making the design flat. The upper is a singular knit construction that is flexible and conforms to the foot. Like the Speedform and Spine shoes, it has a rounded toe and a lace-up construction.

3. The Takedown Design Model

46. Footwear brands generally design families of products to hit different retail price tiers. Most brands have a flagship or premium shoe that features cutting-edge technology and represents the peak of footwear design and engineering. These premium features and technologies have high manufacturing costs and a high retail price. *See* EX1041, 2. Brands often create subsequent lower-priced, simplified

versions of the flagship or premium models that retain recognizable design cues while using more economical materials, construction, or technology.⁹ The lower-priced, simplified shoes are generally known as "Takedown Designs" or "Takedown Models".

47. Designers in the footwear industry, particularly those creating Takedown Models, would treat manufacturing costs such as assembly and tooling as rigid design constraints. Premium shoe models often use an expensive 3D injection-molded piece or a 3D heat-press molded component.¹⁰ Footwear designers routinely translate complex, high-end design features into flatter and more easily manufactured versions for broader commercial use.¹¹ The standard replacement for

⁹ Flagship sneakers are "packed with the latest in cutting-edge technology or fancy styling [and] [w]hile these products represent the peak of footwear design and engineering, they are usually reflected by a high retail price." EX1041, 1. Takedown sneakers are "[g]enerally marketed at the entry-level sneaker market, or kid's-sized versions, [that often] feature the trickle-down design and aesthetic features that their flagship counterparts contain." *Id.*; *see also* EX1041, 4 ("Today's takedown model landscape features a number of signature shoe athletes from every brand offering a budget-priced option with similar or comparable technology").

¹⁰ *See* EX1047, 6 ("New design and manufacturing concepts of heel counters enable a competitive price compared to thermo-sheets.").

¹¹ *Id.* ("Generally speaking, thermo-sheets are preferably used for casual footwear, where the component price is usually a more important criterion"); *see also* EX1048, 3 ("For a better fit, a shoe factory may use a 3D injected plastic part instead of the sheet cut goods.").

these high-cost 3D processes is to replicate the visual language using a flat, 2D sheet panel assembly.¹²

48. To create a lower-priced "takedown" model within the same family, a DOSA would have known remove expensive 3D processes and replicate the visual language using a flat, 2D sheet panel assembly. This bypasses massive steel tooling costs.¹³

49. Shifting a design from a complex 3D molded profile (Levels 1–2) to a flat 2D panel sheet treatment (Levels 3–4), and especially selecting a generic stock diamond texture from a supplier's catalog (Level 4), is the standard method used by designers to execute a lower-priced takedown shoe.

50. Shoes manufactured at a lower cost generally have broader commercial viability, and thus a DOSA would have prioritized the reduction of these costs where possible without compromising quality, appearance, and function.¹⁴

51. However, design "families" do not necessarily begin with one singular flagship model only to degrade in price and quality over time. Instead, brands will

¹² *Id.* ("The construction of a thermo-sheet tooling (cutting die) costs less than a heel counter mold, Therefore, thermo-sheets usually have a lower unit price").

¹³ EX1043, 13-14 ("Tooling costs for injection molding are very high and depend on a number of parameters and design complexity" and "complex part designs with intricate geometries require complex molds to execute the project.").

¹⁴ EX1042, 1 ("Everyone wants lower footwear product costs. Brands, consumers, suppliers.").

often create multiple different flagship models (and subsequent takedowns of each flagship) across different but related product lines.

52. For example, Speedform and Spine are both Under Armour running shoes from related product lines, and they each implement similar design motifs (diamond patterns). Speedform (the newer shoe) uses premium injection molding methods of manufacture while Spine (the older shoe) uses thermo-sheets. Modifying Speedform's diamond heel pattern with the manufacturing methods of Spine would be a standard design strategy, the results of which would be predictable based on other successful Under Armour shoes.

53. DOSAs often rely on standard materials catalogs or "swatch books" from suppliers to create footwear designs, and diamond patterns are incredibly common in stock materials. In fact, suppliers often have stock diamond textures produced in mass. For these reasons, selecting a generic stock diamond texture from a supplier's catalog would have been a standard, obvious method to make a lower-priced shoe.

54. Designing around available standard tools and stock materials keeps the supply chain simple and cost predictable. Thus, a DOSA designing a lower-cost or takedown version of the shoe would have had a straightforward reason to replace the custom molded wave pattern with a simpler diamond lattice or cutout that could be made from more standardized material or tooling.

B. Functional and Aesthetic Trends

55. Material overlays are commonplace in the field of footwear design and often serve both aesthetic and functional purposes. For example, mesh is commonly used on shoe uppers for breathability, ventilation, and structure. *See* EX1035, 2 (advertising 28 years of shoe manufacture and describing diamond perforated mesh "giving the fabric both breathability, lightweight performance, and structural support," and noting that perforated mesh is "widely used in shoe uppers").

56. Shoe uppers with perforations or openings, such the diamond openings seen in Spine and the hexagon openings seen in Trainer Knit, are also well-known in the art to preserve breathability. EX1046, 1 ("The perforated material on the uppers meanwhile makes the offerings more breathable -- allowing consumers to wear the sneakers in varying levels of heat.").

57. The functional components described above were also commonly used for aesthetic appeal. *See e.g.*, EX1046, 1 ("The perforated material on the uppers ... adds more depth to the design, as the perforations work as a type of minimalist pattern on the uppers -- which is further complemented by the variance between this and the brand's use of more solid material throughout."). EX1051, 3 ("jacquard mesh is light, breathable, and provides comfort with its smooth, soft feel. This type of mesh has a woven pattern in the fabric for aesthetics but also creates a comfortable, moisture-wicking environment.").

58. Diamond lattice patterns at the heel covered by mesh overlays were a popular design trend in the years leading up to the D'641 Patent. For example, as early as 2014, Nike was mass-producing multiple athletic sneakers distinguishable by diamond shaped cutouts and mesh overlaid heel counters.¹⁵

¹⁵ EX1049, 2 ("The diamond shaped cut-outs have an uncanny resemblance to that of the Nike Free 5.0, and the mesh overlaid heel counter look near identical to the Zoom Vomero 9. So, yes the design commonality isn't just a coincidence."); EX1050, 8 ("Aesthetically, midfoot design of the 2014 Nike Free 5.0 looks absolutely breathtaking (. . .). The Hyperfuse panel dominates the mid-foot landscape, and mesh underlays add that extra design dimension. The diamond shaped window at the base reveals a glimpse of the Flyknit inspired mesh").



16



17

59. By 2019, footwear on the market had already proven that using flat material overlays to sandwich, window, or flatten structural components was standard practice in the industry. In particular, material overlays were commonly used to flatten dimensional diamond components:

¹⁶ EX1049, 2 (Photo: Nike Pegasus 31).

¹⁷ EX1050, 6 (Photo: Nike Free 5).

60. Spine uses a material component, a see-through mesh overlay, to cover a lattice structure such that the pattern of the lattice remains visible but does not define the contours of the shoe's outer surface.

61. Replacing the material component of Weeks with the see-through mesh material overlay of Spine would create the window-like visual effect of Spine wherein the diamonds are visible but appear substantially flat rather than raised or recessed, giving Weeks a smooth and substantially flat outer surface, rather than an outer surface defined by the dimensional contours of the patterned element.

62. While the Weeks pattern is formed from the recesses of sinusoidal waves, Spine's pattern is made of discrete shapes that are more pronounced and defined. This aspect of Spine provides visual structure around the heel and makes the pattern appear more distinct from the rest of the shoe.

63. Meshes, knits, and see-through fabrics were aligned with aesthetic trends in the 2010s and 2020s. For example, in 2017, a shoe with a see-through mesh overlay was considered by a preeminent fashion publication to be the fifth most popular sneaker of 2017. EX1036, 12-14 (GQ's most popular sneakers of 2017).

64. Replacing the material component of Weeks with the see-through mesh of Spine would create the window-like visual effect of Spine where the diamonds are visible but appear substantially flat rather than raised from or recessed into the

material. The same would be true for replacing the material component of Weeks with the see-through mesh of Trainer Knit, which would have the same visual effect and be further obvious based on the placement of the patterns.

C. Aesthetic Cohesion and Market Competition

65. The footwear industry is extremely competitive and highly trend-driven. Designers from direct competitors often look to one another to assess recent market successes and generate new ideas. This is especially the case for companies working in similar areas of the footwear industry (*e.g.*, sneakers and athletic shoes) at similar price points with similar design aesthetics.

66. Footwear designs, particularly for well-known brands, commonly have cohesive aesthetics that center around brand-identifying features or design elements. A brand's innovations are often understood as a whole, or in relation to a product line or product lines. Rather than consider one design in a vacuum, a DOSA would look to a brand's design innovations across their portfolio and extract features they found to be successful across products.

67. Competing brands often look to one another's design aesthetics to inform their own innovations, particularly when a brand has a long-standing successful brand motif. In other words, footwear designers frequently analyze and iterate on designs of contemporaneously successful competitors when determining aesthetic trends.

1. Prior Art Execution Example: Under Armour Diamond Motif

68. The diamond is a well-known design motif for Under Armour running shoes.¹⁸ Since at least 2012, Under Armour has focused on creating several different iterations of diamond patterns.

69. The diamonds vary slightly across shoe models in terms of exact technique, but their proportions and configurations remain consistent across models. Additionally, they rely on layering and dimensionality to create visual interest.

70. For example, while some Under Armour shoes rely solely on texture, shadow and dimension to form their diamond shapes, others use mesh or other material components to create sense of layering and dimensionality. In the below examples, Rebel Storm's diamond pattern is defined by the treatment of the upper alone, while Speedfit Hike and Spine Bionic use diamond cutouts and mesh layering:

¹⁸ A DOSA would have been aware that Under Armour shoes featuring diamond patterns were available to view on UnderArmour.com, and would have easily been able to access Speedform and Spine through standard web searches.



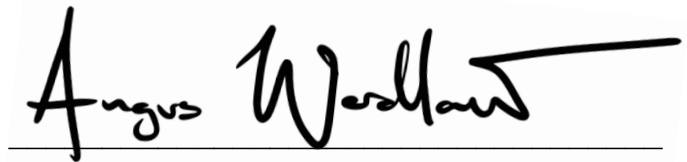


71. A DOSA would have been motivated to add a mesh overlay to the Speedform diamond pattern and modify the diamonds just slightly to replicate the previously successful diamond/mesh interaction seen in Spine.

72. Because the diamond is a major design motif for Under Armour, and Speedform disclosed a way to place strong emphasis on the diamond motif and create contrast with the rest of the shoe, a DOSA would have been motivated to add a mesh overlay to the diamond pattern and modify the method of manufacture for the diamonds in order to replicate the previously successful diamond/mesh interaction seen in Spine.

I, Angus Wardlaw, do hereby declare and state 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, under Section 1001 of Title 18 of the United States Code.

Dated: July 23, 2026

A handwritten signature in black ink that reads "Angus Wardlaw". The signature is written in a cursive style with a long horizontal stroke at the end. It is positioned above a thin horizontal line.

Angus Wardlaw

APPENDIX A

Angus Nimlin Wardlaw

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Professional Summary

Global sportswear executive with 20+ years of leadership experience in innovation, product development, and operational transformation across footwear and apparel. Achieved industry-leading results, including the launch of Adidas Ultraboost (\$2B+ in revenue), and developed ANTA's innovation centre, integrating sustainability into every phase of the product lifecycle. With 8+ years leading teams in China and Asia, excels in navigating complex markets, building global R&D networks, and delivering solutions that drive performance and growth for international brands.

Key Achievements

- Spearheaded the creation of the Adidas Ultraboost, achieving over 30 million pairs sold and generating revenue exceeding \$2B USD.
- Built ANTA Group's first cross-functional innovation centre, integrating advanced R&D capabilities for both footwear and apparel.
- Acted as lead industry expert for the development of a novel 3D design software now used in the footwear industry for live customisation during sales meetings with major global retailers.
- Reconstructed FILA's footwear development and testing program, laying the foundation for premium performance and lifestyle product launches.

Career Experience

Nimlin Sports Limited, Hong Kong / Scotland FOUNDER & PRINCIPAL CONSULTANT

December 2024 – Present

- Independent consulting practice supporting global sportswear and outdoor brands with strategy, product creation, sourcing, testing, and operations.
- Delivered strategic R&D, calendar, and manufacturing systems support for brands including Lululemon
- Supported Asia-based sourcing transitions, digital tooling strategy, and innovation pipeline planning for multiple clients.

Smoothlink Manufacturing, Hong Kong SAR FOOTWEAR DIRECTOR

Apr 2025 – Present

- Design, Development & Manufacturing support for performance sportswear and fashion brands.
- Covering all major sports from Road Running, Trail, Mountain, Fishing, Golf, Football, Court, Outdoor and Lifestyle.

Fila USA, NYC, USA

VICE PRESIDENT – Footwear Operations

October 2023 – November 2024

- Revitalised Fila's footwear operations by rebuilding product creation and testing processes, enabling consistent delivery of premium-quality performance and lifestyle footwear.
- Optimised the product calendar and streamlined SKUs from 2,000 to 450, achieving efficiency and profitability.
- Established a Vietnam-based supply chain network, reducing dependency on China and cutting production lead times.
- Developed a flagship running shoe and integrated advanced technology, outperforming industry leaders in consumer tests.

Revobit, Berlin, Germany

VICE PRESIDENT – Global Business Development

January 2021 – October 2023

- Led the SME team in R&D, commercialisation, sourcing, and business strategy, driving the development of a digital platform for footwear and apparel innovation.
- Successfully expanded EU operations, enhancing client adoption of 3D design tools for live sales customisation with major retailers.

ANTA Sports Limited, Xiamen, China

HEAD OF INNOVATION – Footwear and Apparel

January 2018 – January 2021

- Built ANTA's first cross-category innovation roadmap, driving advancements in performance, sustainability, smart products, and speed-to-market.
- Established a world-class innovation centre, including state-of-the-art labs for sports science, mechanical engineering, and 3D printing.
- Recruited and managed a 35-member team of global experts across disciplines, delivering multiple consumer-driven innovations.

Adidas AG, Herzogenaurach, Germany

DIRECTOR – FUTURE Innovation Team

October 2014 – June 2017

- Directed the innovation process for the Ultraboost franchise, generating \$2B+ in sales and defining the premium running category.
- Led the cross-functional development of groundbreaking products, including Pureboost X and Futurecraft AM4.

SENIOR DEVELOPMENT ENGINEER II – FUTURE Innovation Team

May 2011 – September 2014

- Oversaw product innovation and manufacturing advancements, contributing to the launch of Boost technology with over 100 million pairs sold.
- Developed Energy Boost, a flagship product generating \$72M in its first year, representing an 80% increase over prior models.

CATEGORY LEADER – Golf Footwear (Guangzhou, China)

2009 – 2011

DEVELOPMENT MANAGER – Running Footwear (China & Germany)

2007 – 2009 (Guangzhou, China)

2004 – 2007 (Herzogenaurach, Germany)

MECHANICAL ENGINEER – adidas Innovation Team (Herzogenaurach, Germany)

2003 – 2004

Patents

Co-inventor on **20+ patents** covering footwear materials, footwear technology, and advanced manufacturing.

Full details available at <https://patents.google.com/?inventor=angus+wardlaw>

Education and Certifications

B.Eng. Mechanical Engineering with Management Techniques

2:1

The University of Edinburgh, Edinburgh, Scotland

Technical Skills

- **Product Development:** Agile methodologies, R&D management, 3D software integration.
- **Strategic Operations:** Supply chain optimisation, cross-category innovation leadership.
- **Languages:** Basic Mandarin (Pinyin), Moderate German.
- **Software:** Advanced CAD (Rhino Surface Modeler), 3D digital creation platforms.

Sporting Achievements

Represented Scotland in international running competitions, including the World Mountain Running Championships, demonstrating a lifelong commitment to performance and sport.