UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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DUKE MANUFACTURING CO.
Petitioner

v.

MARMON FOODSERVICE TECHNOLOGIES, INC.
Patent Owner

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Case: IPR2026-00481
Patent No. 9,980,322

DECLARATION OF ARTHUR LEMLEY

I, Arthur Lemley, hereby declare as follows:

1. I am the Senior Technical Writer for Duke Manufacturing Co. ("Duke") and have held this position since approximately 2017. In this role, I am responsible for creating and maintaining current operator manuals and specification sheets for Duke. I am also responsible for maintaining Duke's records regarding the operator manuals and specification sheets. I make this declaration in connection with the above-referenced IPR proceeding on behalf of Duke.

2. Prior to my current role as a Senior Technical Writer for Duke, I was the Quality Manager for Duke's St. Louis manufacturing operations. I had this role from approximately 2001 to 2017.

3. Exhibit 1005 is a true and correct copy of the Operators Manual P/N 229945D for the Infrared Heatsink (IRHS) Holding Unit that was published by Duke.

4. It was intended that at least one copy of an Operators Manual would have been included and disseminated to Duke's customers with each shipment that included an IRHS Unit.

5. There were different versions of the Operators Manual for the IRHS Unit—each with its own part number—that would ship with an IRHS Unit depending on the intended customer at the time of packaging and the market/language of the intended destination.

6. For example, a partial listing of the versions that were shipped with IRHS Units depending on the intended customer at the time of packaging and the market/language of the intended destination included:

- 229945 Manual BK IRHS – For Burger King and Burger King franchisees in the U.S. and Canada
- 166143 Manual BK CE IRHS – For Burger King and Burger King franchisees outside the U.S. and Canada
- 166187 Manual IRHS – For general market (i.e. non-Burger King affiliated customers) in the U.S. and Canada.

7. There were also foreign language versions of the manuals that would have had their own part numbers. For example:

- 166116 Manual BK CE IRHS Spanish
- 166117 Manual BK CE IRHS German
- 166144 Manual BK CE IRHS Russian
- 166145 Manual BK CE IRHS French
- 166149 Manual BK CE IRHS Brazilian Portuguese
- 166190 Manual BK CE IRHS Italian
- 166279 Manual BK CE IRHS Polish
- 229060 Manual BK CE IRHS Arabic

8. The Operators Manuals for the IRHS Unit were also subject to revision on occasion, which would be reflected in a revision number or date included within the manual. The specific revision would likewise be reflected by the letter at the end of the part number. For example, the "D" at the end of Operators Manual P/N 229945D signifies that the Operators Manual was Revision D.

9. Notably, not every revision was approved or became effective.

10. The approved revisions and their effective dates for the 229945 Manual were as follows:

- Rev A (until 2/9/14)
- Rev C (2/10/14 to 2/17/14)
- Rev D (2/18/14 to 9/3/14)
- Rev E (9/4/14 to 11/13/14)
- Rev F (since 11/14/14)

11. The approved revisions and their effective dates for the 166143 Manual were as follows:

- Rev A (until 2/9/14)
- Rev C (2/10/14 to 9/3/14)
- Rev F (9/4/14 to 11/13/14)
- Rev G (11/14/14 to 4/18/15)

12. The approved revisions and their effective dates for the 166187 Manual were as follows:

- Rev A (until 9/3/14)
- Rev B (9/4/14 to 11/13/14)
- Rev C (11/14/14 to 2/23/15)
- Rev D (since 2/24/15)

13. It was—and remains—Duke's policy that upon approval of a Revision, that Revision becomes the effective version which would be included with any open work-in progress orders.

14. I declare under penalty of perjury that the foregoing is true and correct. Executed this 3rd day of June 2026.

Arthur Lemley