IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HUHTAMAKI FLEXIBLE PACKAGING GERMANY GMBH & CO. KG,
Petitioner

v.

DANAPAK FLEXIBLES A/S,
Patent Owner

Case No. PGR2023-00008
U.S. Patent No. 11,260,624 B2

DECLARATION OF DR. DETLEV SCHULZ

I, Dr. Detlev Schulz, declare as follows:

1. I am Sr. Mgr. Business Development, IP & Sustainability Global Tube Laminates for Huhtamaki Flexible Packaging Germany GmbH & Co. KG. For ease of reference, I will refer to Huhtamaki Flexible Packaging Germany GmbH & Co. KG as the "Petitioner."

2. Petitioner and Huhtamaki, Inc. are both wholly-owned subsidiaries of Huhtamäki Oyj.

3. Huhtamäki Oyj is a parent company with multiple operating segments that serve as strategic business units producing different products and are managed as separate units. Huhtamäki Oyj has three business areas which are organized into four reporting segments.

4. The first business area is Foodservice Packaging, which contains Foodservice Europe-Asia-Oceania and North America. The North America Segment serves local markets in North America and includes the subsidiary Huhtamaki, Inc.

5. The second business area is Flexible Packaging. This segment serves global markets from production units in Europe, Middle East, Asia, and South America. Petitioner is one example corporation in the Flexible Packaging business area. Others include entities like Huhtamaki Flexible Packaging Czech a.s.,

Huhtamaki Flexible Packaging Middle East LLC, and Huhtamaki Flexible Packaging South Africa (Pty) Limited.

6. The final business area is Fiber Packaging. This segment has production in Europe, Oceania, Africa, and South America.

7. As part of the Flexible Packaging business area, Petitioner is a corporation engaged in the business of, *inter alia*, manufacturing, distributing, and selling flexible packaging, including barrier films.

8. As part of the different business area of Foodservice Packaging, Huhtamaki, Inc. is a different corporation engaged in the business of manufacturing, distributing, and selling disposable tableware products, foodservice packaging products, as well as ice cream containers and other consumer goods packaging products.

9. Huhtamäki Oyj, by contrast, does not engage in any operations. Huhtamäki Oyj does not manufacture, distribute, or sell flexible packaging materials, including barrier films.

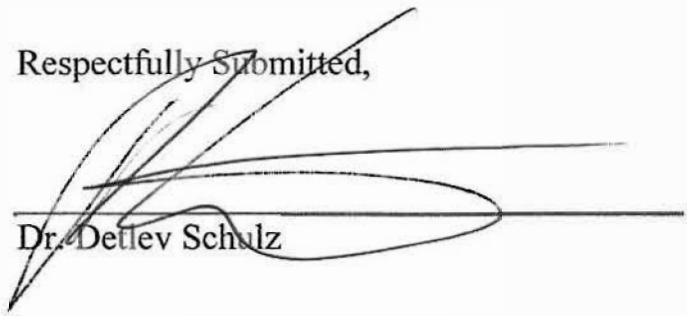
10. Petitioner was the sole Huhtamaki entity responsible for directing, controlling, and funding the preparation and filing of the petition for post grant review of the '624 Patent. Petitioner was also the only Huhtamaki entity that paid any filing or legal fees associated with the preparation of the instant Petition. None of Huhtamäki Oyj, Huhtamaki, Inc., nor any other Huhtamaki entity participated in

the decision to file the instant Petition, nor did they co-author the instant Petition, nor exercise any control over the filing or content of the instant Petition, nor provide funding or other compensation for the preparation and filing of the instant Petition. The individuals primarily responsible for the decision to file and the content of the instant Petition, Jens Pilzecker – Head of Sales Europe, Tobias Fackler – Sr. Mgr. Sales Health Care, Elisabeth Ostheimer – Sales Mgr. and Dr. Detlev Schulz – Sr. Mgr. Business Development, IP & Sustainability Global Tube laminates: all employed by Huhtamaki Flexible Packaging Germany GmbH & Co. KG, are not employed by Huhtamäki Oyj.

11. None of Huhtamäki Oyj, Huhtamaki, Inc., nor any other Huhtamaki entity have any reason for or interest in seeking review of the '624 Patent. As stated above, Huhtamäki Oyj is a corporate parent entity that merely holds ownership of its subsidiaries. Neither Huhtamäki Oyj nor Huhtamaki, Inc. have ever been accused of infringing the '624 Patent, nor have they moved to intervene in the current proceeding or sought a declaratory judgement of invalidity of the '624 Patent in Federal district court.

12. I hereby declare 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.

Respectfully Submitted,



Dr. Detlev Schulz