UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PARAGON 28, INC.,
Petitioner,

v.

TREACE MEDICAL CONCEPTS, INC.
Patent Owner.

PGR2026-00017
Patent 12,268,397

DECLARATION OF TERRY WADE LUBBEN IN SUPPORT OF THE PATENT OWNER'S REQUEST FOR DISCRETIONARY DENIAL

Paragon 28, Inc. v. Treace Medical Concepts, Inc.
PGR2026-00017
Treace Ex. 2033

I, Terry Wade Lubben, do hereby declare:

1. I am making this declaration (the "Declaration") at the request of Treace Medical Concepts, Inc. ("Treace") in connection with post grant proceedings at the United States Patent and Trademark Office.

2. I am Treace's Chief Operations & Supply Chain Officer and am responsible for all operations and supply chain. I have personal knowledge of the facts stated herein.

3. Treace Medical Concepts, Inc. ("Patent Owner") is a publicly traded company on the Nasdaq (symbol TCMI) and is based in Ponte Vedra, Florida and has no foreign-owned subsidiaries or parent companies.

4. Patent Owner's research and development activities all take place in the United States.

5. All of Patent Owner's over 400 employees are located in the United States.

6. Over 85% of Patent Owner's current manufacturing operations are located in the United States, primarily in Florida, Massachusetts, Michigan and Indiana.

7. I 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.

Executed on: April 27, 2026 By: Terry Wade Lubben