

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

**RIMFROST AS
Petitioner**

v.

**AKER BIOMARINE ANTARCTIC AS
Patent Owner**

CASE IPR: IPR2020-01533

U.S. Patent No. 9,816,046 B2

Declaration of Åge Oterhals

I, Åge Oterhals, do declare as follows:

1. I am over 18 years of age, of sound mind, and otherwise competent to make this certification. I am a citizen of Norway. The evidence set out in this Certification is based on my personal knowledge.
2. I am a Senior Scientist at Nofima AS. Nofima AS was formed in 2008 from four Norwegian institutes: Akvaforsk, Fiskeriforskning, Matforsk and Norconserv.
3. I am the custodian of records related to research on krill done for Aker Seafoods at Fiskeriforskning prior to its incorporation into Nofima AS.
4. I submit this certification in support of Ex. 2003 (Report K-300 entitled “F/T Atlantic Navigator 2004-2005” and dated 23 December 2005) and Ex. 2013 (Report K-313 entitled “Extraction of krill meal with ethanol” dated September 2006) which I understand have been submitted as Exhibits in the proceeding referenced above.
5. Exhibits 2003 and 2013 are copies of the K-300 and K-313 reports that were made at or near the time of the events set forth therein at the dates indicated on the reports by people with knowledge of those matters and provided to Aker Seafoods.

6. It was a regular practice of the business to make and save reports, including copies of K-300 and K-313 reports.

7. Copies of the K-300 and K-313 reports were kept in the regular course of business activity.

8. I further 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 under penalty of perjury under the laws of Norway and/or the United States that the foregoing is true and correct.

Respectfully submitted,

July 20, 2021

A handwritten signature in blue ink that reads "Åge Oterhals" is written over a horizontal line.

Åge Oterhals