



## PRESS RELEASE

### CONCRETE CANVAS DISAGREES WITH RECENT POLISH COURT OF APPEALS DECISION AND WILL REVIEW OPTIONS FOR APPEAL TO SUPREME COURT.

Since launching its patent infringement lawsuit against Eurobent in 2018, Concrete Canvas has secured additional European patents covering Poland that further protect its GCCM technologies. Concrete Canvas remains committed to robust enforcement of its intellectual property rights.

17th APRIL 2025

On 31 March 2025 the Court of Appeals in Poznań, Poland, dismissed the appeal (case ref. no. I AGa 331/22) brought by Concrete Canvas Technology Ltd ("Concrete Canvas") in relation to the 9 May 2022 decision of the Regional Court in Legnica (case ref. no. VI GC 184/18) on the matter of infringement by Eurobent Sp. z o.o. ("Eurobent") of its Polish patent EP(PL)2027319, through manufacturing, selling and exporting Tiltex™ and Tiltex™ Plus products ("Tiltex™") in Poland.

Concrete Canvas disagrees with the 31 March 2025 decision of the Court of Appeals and pending the release of the written judgment will fully review its options to appeal the decision to the Polish Supreme Court.

The lawsuit against Eurobent, the manufacturer of Tiltex™, for infringement of Concrete Canvas' patent EP(PL)2027319, was launched in 2018 and has taken 7 years so far. Following a third and final hearing in December 2021, the Polish Patent Office (PPO) upheld the validity of Concrete Canvas' patent PL/EP 2027319 in the face of revocation proceedings launched by Eurobent. The PPO rejected Eurobent's arguments and agreed with the European Patent Office that the invention is both novel and inventive over the existing prior art. Eurobent subsequently withdrew its appeal against the PPO's decision which is now final and binding.

In their 14 April 2025 press release, referring to the recent judgement by the Courts of Appeal in Poznań and the earlier first instance judgement by the Regional Court in Legnica ("the judgements"), Eurobent state that:

*"These judgements together fully validate Eurobent's position, consistently presented during the proceedings, that TILTEX and TILTEX Plus do not infringe intellectual property, but are advanced products created by Eurobent Sp. z o.o. in full compliance with law, which can be legitimately manufactured and traded in Poland, just as in the other countries of the world."*

These statements are incomplete or potentially misleading in at least a few respects -

- **Firstly**, the judgments concern only the Polish designation of European patent EP2027319. They do not consider or assess any other intellectual property rights that remain in-force both within and outside of Poland. Accordingly, any suggestion that the judgements establish that Tiltex™ does not infringe "intellectual property" generally is inaccurate, as the judgements are limited to EP(PL)2027319 and do not take into account other intellectual property rights.
- **Secondly**, judgements issued by national courts in one country (such as Poland) are not binding in other jurisdictions around the world, where courts, applying their own law, may reach different conclusions. Therefore, Eurobent's suggestion that the Polish judgements "fully validate" that Tiltex™ and Tiltex™ Plus are "in full compliance with law" and "can be manufactured and traded in"... "the other countries of the world" could give a misleading impression as to the international legal position.

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Polish patent EP(PL)2027319 is one of many patents in Concrete Canvas' extensive portfolio, which protects its technology across Europe, the US, and beyond. This portfolio includes several other European patents filed before 2014, covering different aspects of the technology. These have granted since 2018 and widely validated across the EPC member states, including in Poland, providing broad coverage for GCCM technologies. A list of Concrete Canvas' Intellectual Property rights, including a list of in-force patents, is available at:

<https://www.concretecanvas.com/patent-trademark-info/>

As previously reported [here](#), Concrete Canvas Ltd and its U.S. affiliate Concrete Canvas USA, Inc. achieved a litigation victory in proceedings before the US District Court (Southern District of Texas, Houston Division) against Inland Tarp and Liner, LLC ("ITL") concerning advertisements published by ITL with respect to performance of ITL's product, ITL Reinforced Concrete Roll® (ITL RCR) ITL RCR® is manufactured by Eurobent in Poland and its subsidiary Thrace Eurobent in Greece and is sold under multiple brands including ITL RCR® and Tiltex. Eurobent, the Manufacturer of ITL RCR® (Tiltex), was not included as a party to the US case.

Eurobent supplied some of the false and misleading data used by ITL, and Eurobent and some of its distributors continue to promote Tiltex using similar misleading data. This data is from standards that were not designed for testing GCCMs. Additionally, Eurobent's sales partners also continue to promote Tiltex by claiming values to ASTM standards, when in fact the standards were modified to give significantly higher performance values, with no explanation that the changes to the test method will substantially improve the numerical values obtained in a way that is not representative of the intended use. Both of these data sources were used in ITL's datasheets that are now subject to an injunction following the consent judgment and are no longer used by ITL.

The US case concerned claims published by ITL with respect to product performance of ITL RCR® (Tiltex), including claims with respect to the compressive strength, sample preparation, flexural strength and tensile strength which Concrete Canvas® has established are false and misleading, causing Concrete Canvas® injury and damage, including by damaging the reputation of GCCMs within the market.

Concrete Canvas wish to reiterate that they will robustly seek to enforce their intellectual property rights where they are being infringed by a manufacturer, distributor or otherwise. Such enforcement will occur at a time and in a jurisdiction where Concrete Canvas can best accomplish its objectives. Patents exist to protect and encourage investment in innovation. It is in all of our interests to respect the law, including patent law.

Further information and previous related press releases can be found [here](#).

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