

PRESS RELEASE

1 March 2022

CONCRETE CANVAS PRESS RELEASE FROM 28 FEBRUARY 2022 NOT BREAKING AND NOT NEW

This is in relation to Concrete Canvas Ltd's press release of 28 February 2022, which omitted several important facts.

First, the payment of the compulsory sum of PLN 4,500,000 (approx. EUR 1 million) pursuant to the decision of the District Court in Świdnica as described in that press release is not a final measure. Eurobent sp. z o.o. was obliged to pay such amount in connection with a preliminary injunction issued by the Regional Court in Legnica. While the decision imposing that obligation on Eurobent cannot be appealed, the payment remains reversible. If Eurobent sp. z o.o. wins the main case in the Regional Court in Legnica, in connection with which the preliminary injunction was granted, Concrete Canvas Ltd will be obliged to pay the compulsory sum back to Eurobent and remedy all other losses suffered by Eurobent in connection with enforcement of the preliminary injunction.

Moreover, in the main proceedings in Legnica, the court expert has recently issued a series of opinions favorable to Eurobent, confirming that the European Patent of Concrete Canvas EP 2027319 has not been infringed, in light of which the lawsuit of Concrete Canvas is groundless. This is in line with the previous judgements of German courts in Düsseldorf dated 17 March 2019 and 21 March 2021, which finally decided, that the same goods traded in Germany did not infringe the same patent in force in Germany.

Notably, when Concrete Canvas was confronted with the same opinions in the proceedings conducted before the Regional Court in Warsaw, it withdrew its lawsuit two days before the scheduled trial.

Second, also the decision of the Polish Patent Office dismissing Eurobent's motion to invalidate the patent PL/EP 2027319 is not a final measure. It can be challenged in the Administrative Court and Eurobent intends to issue such challenge as soon as it is formally possible. Regardless of the this, the fact that the patent PL/EP 2027319 has not been invalidated does not support the accusations that Eurobent infringes any intellectual property, and Eurobent believes, that in the due process of law will show that Eurobent has acted in full compliance with law

Third, the issues described in the press release of 28 February 2022 are all old news. The final decision on payment of the compulsory sum was issued in September 2021 and the decision of the Patent Office in December of that year. In particular, since September 2021 Eurobent paid the compulsory sum to Concrete Canvas in full and it had no impact on Eurobent's financial stability. It is difficult to find any other reason for Concrete Canvas' publishing such outdated information now, than to distract from the developments favourable to Eurobent in the main dispute in the Legnica Court

Finally, the press release of Concrete Canvas wrongly describes Tiltex™ as "a sand cement filled GCL marketed as a GCCM" which is a contradiction in terms. GCL - Geosynthetic Clay Liner - by definition must be made of clay or clay minerals, and not sand and cement. The material used in Tiltex™ as an inlay, as well as the product's properties unquestionably determines its classification as GCCM.