IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT

INTERMARK FABRIC CORPORATION, Plaintiff, v. MICROFIBRES, INC., Defendant.	)	Civil Action No. 3:02-C V-1267 (AVC)

DECLARATION OF CHARLES F. O'BRIEN
IN SUPPORT OF PLAINTIFF INTERMARK FABRIC CORPORATION'S
OPPOSITION TO DEFENDANT, MICROFIBRES, INC.'S MOTION IN LIMINE TO EXCLUDE EVIDENCE RELATING TO "BEST MODE" DEFENSE

I, Charles F. O'Brien, hereby declare as follows:

1. I am a Partner with the firm of Cantor Colburn LLP and I am one of the attorneys representing Plaintiff, Intermark Fabric Corporation in this matter. If called upon as a witness, I could and would testify competently thereto. I have personal knowledge of all the facts set forth in this Declaration.

2. Attached hereto as Exhibit 1 is a true and correct copy of United States Patent No. 5,981,021 entitled Transfer Printing Flocked Fabric (the "'021 patent").

3. Attached hereto as Exhibit 2 is a true and correct copy of the relevant excerpts from the transcript of the deposition of James R. McCulloch taken under oath in connection with this matter on April 17, 2003.

4. Attached hereto as Exhibit 3 is a true and correct copy of the relevant excerpts from the transcript of the deposition of William Laird taken under oath in connection with this matter on March 26, 2003.

5. Attached hereto as Exhibit 4 is a true and correct copy of the document produced by Microfibres dated April 29, 1992 entitled Project Trial Request.

6. Attached hereto as Exhibit 5 is a true and correct copy of the document produced by Microfibres dated December 2, 1992 entitled MEMO.

7. Attached hereto as Exhibit 6 is a true and correct copy of the Answers of Defendant, Microfibres, Inc. to Plaintiff Intermark Fabric Corporation's First Set of Interrogatories dated December 13, 2002.

8. Attached hereto as Exhibit 7 is a true and correct copy of the Affidavit of Ronald S. Perry, Ph.D. dated August 25, 2003.

Signed under the pains and penalties of perjury on this 25th day of September, 2006.

/s/Charles F. O'Brien, Esq.
Charles F. O'Brien, Esq.

CERTIFICATE OF SERVICE

I hereby certify that on September 25, 2006, a true and accurate copy of the foregoing document was filed electronically via the Court's ECF system. Notice of this filing will be sent by e-mail to the following parties by operation of the Court's electronic filing system as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

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