

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CONOPCO, INC. dba UNILEVER
Petitioner

v.

THE PROCTER & GAMBLE COMPANY
Patent Owner

U.S. Patent No. 6,451,300

Inter Partes Review Case No. Unassigned

DECLARATION OF ARUN NANDAGIRI

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I, Arun Nandagiri, hereby declare as follows.

I. Introduction

1. I am over the age of eighteen (18) and otherwise competent to make this declaration.

2. I have been retained as an expert witness on behalf of CONOPCO, INC. (UNILEVER) for the above-captioned *inter partes* review (IPR).

3. I am being compensated for my time in connection with this IPR at my standard legal consulting rate, which is \$290 per hour.

4. I understand that the petition for *inter partes* review involves U.S. Patent No. 6,451,300 ("the '300 patent"), UNL 1001, which resulted from U.S. Application No. 09/558,447 ("the '447 application"), filed on April 25, 2000, and alleging a priority date of May 3, 1999. The '300 patent names David Scott Dunlop, Susan Marie Guskey, Vincente Eduardo Leyba, and Douglas Allan Royce as the inventors. The '300 patent issued on September 17, 2002, from the '447 application.

5. I further understand that, according to the USPTO records, the '300 patent is currently assigned to The Procter & Gamble Company ("the patentee" or "P&G").

6. I submitted a Declaration dated August 14, 2013 in IPR2013-00509, which also involved review of the '300 patent. IPR as to some of the claims of the

'300 patent was instituted by the U.S. Patent and Trademark Office on February 12, 2014.

7. In preparing this Declaration, I have reviewed the '300 patent and considered each of the documents cited herein, in light of general knowledge in the art.

8. In formulating my opinions, I have relied upon my experience, education and knowledge in the relevant art.

9. In formulating my opinions, I have also considered the viewpoint of a person of ordinary skill in the art ("POSA") (i.e., a person of ordinary skill in the field of shampoos and conditioners, defined further below in Section IV) prior to May 3, 1999.

II. My Background and Qualifications

10. I am an expert in the field of shampoos and conditioners, including anti-dandruff conditioning shampoos.

11. I have more than 30 years of experience in formulating shampoos and conditioners and have been personally involved in the formulation of hundreds of hair care products.

12. I received my Masters of Science degree in Pharmacy from Andhra University, India, and my master's thesis was titled "Manufacture of Antibiotics."

13. Additionally, I received my Masters of Science degree in Pharmacy Administration from Brooklyn College of Pharmacy in 1972. From 1970-1972, I was an aerosol chemist at Block Drug company, where I worked with aerosol shampoos and hairsprays.

14. From 1972 to 1975, I was a Senior Scientist for the Hair Care and Antiperspirants division of Beecham, Inc. From 1975 to 1982, I was Group Leader of the Hair Care and Antiperspirants division of Shulton, Inc. At both of these positions, I was involved in formulating shampoos and conditioners, and was involved in selecting formulation components and testing of conditioning properties. As Group Leader at Shulton, I also had a group of formulation chemists reporting to me.

15. From 1982 to 1989, I was Director of Research and Development for Playtex-Jhirmack, Inc. As Director, I created, planned, delegated and coordinated all research and development activities for the U.S. and Canadian markets. I was actively involved in formulating all types of hair care products, including shampoos and conditioners. In my role in creating shampoo and conditioner formulations, I was involved in determining which components to use in the formulations and at what concentrations. At Playtex-Jhirmack, I worked with anti-dandruff shampoos, including shampoos containing zinc pyrithione and coal tar.

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