

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PHIGENIX, INC.
Petitioner

v.

IMMUNOGEN, INC.
Patent Owner

Case IPR2014-00676
Patent 8,337,856

DECLARATION OF GEOFFREY A. PIETERSZ, PH.D.

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I, Geoffrey A. Pietersz, 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 ImmunoGen, Inc., (“ImmunoGen”) for the above-captioned *inter partes* review (IPR). I am being compensated for my time in connection with this IPR at my standard consulting rate of \$350 per hour. I have no personal or financial interest in the outcome of this proceeding.

3. I understand that the petition for *inter partes* review involves U.S. Patent No. 8,337,856 (“the ’856 patent”) (Ex. 1001), the application for which was filed on December 3, 2007, naming Walter Blättler and Ravi V.J. Chari as the inventors. I understand that, because the ’856 patent was the result of a series of related applications, the earliest possible priority date of the ’856 patent is March 16, 2000. In my analysis, I have considered the state of the art and what a person of ordinary skill in the art would have understood prior to March 16, 2000. I further understand that, according to the USPTO records, the ’856 patent is currently

assigned to ImmunoGen. Finally, I understand that the petitioner in this *inter partes* review is Phigenix, Inc. (“Phigenix”).

4. In formulating my opinions, I have relied upon my experience, education and knowledge in the relevant art. 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 immunoconjugates, defined further below in Section IV) prior to March 16, 2000.

II. My background and qualifications

5. I am an expert in the fields of immunoconjugates and antibody-targeted therapeutics. Since 2006, I have been a Senior Principal Research Fellow at the Burnet Institute, as well as a full professor both at the University of Melbourne and Monash University. Further, I have been a Director of Technology Development for Ascend Biopharmaceuticals Ltd. since 2013. Before accepting these positions, I was a research fellow at the Austin Research Institute in Heidelberg, Victoria (1991-2006), a senior research chemist at Arthron Ltd. (2001-2003), and a research fellow at the University of Melbourne (1982-1991). I received both my B.Sc. (Hons) and Ph.D. in organic chemistry from the University of Melbourne in 1978 and 1982, respectively.

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