

# EXHIBIT C

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

PHIGENIX, INC.  
Petitioner

v.

IMMUNOGEN, INC.  
Patent Owner

---

Case IPR2014-00676  
U.S. Patent No. 8,337,856

---

**Supplemental Declaration Of John C. Jarosz**

I, John C. Jarosz, hereby declare as follows.

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

2. I am the same John C. Jarosz who submitted a declaration on January 22, 2015 in the *inter partes* review proceeding IPR2014-00676. My initial declaration was marked as ImmunoGen Exhibit 2131.

3. I understand from counsel that Phigenix raised certain issues with my initial declarations and certain exhibits cited therein in its objections dated January 29, 2015. I submit this supplemental declaration to address issues asserted by Phigenix in its objections dated January 29, 2015.

4. I understand from counsel that Phigenix objected to my initial declarations because I cited Exhibits 2127, 2147, 2204, 2216, 2218, 2220, 2226-2238, 2240-2244, 2247, 2252-2261, 2266-2271, 2275, 2318-2320, 2325, 2334, 2335, 2340-2342, and 2344-2346, therein. I understand that, according to Phigenix, it was not established that an expert in the field would reasonably rely on these exhibits to formulate opinions such as those set forth in my initial declaration. I disagree with Phigenix's assertions.

5. Exhibits 2127, 2204, 2226-2238, 2318, 2325, 2334, 2335, 2340, and 2341 are copies of marketing and informational materials from Genentech. Experts in intellectual property, business, and product valuation routinely rely on materials

such as Exhibits 2127, 2204, 2226-2238, 2318, 2325, 2334, 2335, 2340, and 2341 when analyzing a product's use and characteristics, such as in the opinions set forth in my initial declaration.

6. Exhibits 2240-2244, 2256, 2319, and 2320 are compilations of data provided by IMS Institute for Healthcare Informatics ("IMS"). Data from IMS are routinely relied on by experts in the field to determine drug sales, prescriptions, and promotional expenditures for a given product, such as in the opinions set forth in my initial declaration.

7. Exhibits 2147, 2268, 2269, and 2271 are copies of investment analyst reports from Cowen & Company, J.P. Morgan, RBC Capital Markets, and UBS, respectively. Experts in intellectual property, business, and product valuation routinely rely on investment analyst reports such as Exhibits 2147, 2268, 2269, and 2271 when evaluating third-party views of a company's product, such as in the opinions set forth in my initial declaration. Exhibits 2147, 2268, 2269, and 2271 are true and correct copies of each investment analyst report as obtained from Thomson One located at <https://www.thomsonone.com/DirectoryServices/2006-04-01/Web.Public/Login.aspx?brandname=www.thomsonone.com&version=3.7.9.18833&protocol=0>, accessed on December 12, 2014.

8. Exhibit 2216 is a copy of a press release from Mylan Inc.'s website, accessed on December 18, 2014. Exhibit 2216 is a true and correct copy of the Mylan web page as published on the Mylan website, [www.mylan.com](http://www.mylan.com), accessed on December 18, 2014. Experts routinely rely on press releases such as Exhibit 2216 in evaluating a product's relevant marketplace, such as in the opinions set forth in my initial declaration.

9. Exhibit 2218 is a copy of a press release from GlaxoSmithKline's website, accessed on December 18, 2014. Exhibit 2218 is a true and correct copy of the GlaxoSmithKline web page as published on the GlaxoSmithKline website, [us.gsk.com](http://us.gsk.com), accessed on December 18, 2014. Experts routinely rely on press releases such as Exhibit 2218 in evaluating a product's relevant marketplace, such as in the opinions set forth in my initial declaration.

10. Exhibit 2220 is a copy of a press release from Bristol-Myers Squibb's website, accessed on December 18, 2014. Exhibit 2220 is a true and correct copy of the Bristol-Myers Squibb web page as published on the Bristol-Myers Squibb website, [www.bms.com](http://www.bms.com), accessed on December 18, 2014. Experts routinely rely on press releases such as Exhibit 2220 in evaluating a product's relevant marketplace, such as in the opinions set forth in my initial declaration.

11. Exhibit 2247 is a copy of a data brief from IMS's website, accessed on December 18, 2014. Exhibit 2247 is a true and correct copy of the IMS web

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.