

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Cabilly et al	)	Interference No. 102.572
v.	)	
	)	Examiner-in-Chief
Boss et al	)	Mary F. Downey

**DECLARATION OF ARTHUR RIGGS**

1. I, Arthur Riggs, declare and state that I am a citizen of the United States residing in LaVerne, California. My Curriculum Vitae is attached as Cabilly et al Exhibit No. 1. I am a co-inventor of the United States Patent 4,816,361 entitled "Recombinant Immunoglobulin Preparations".

2. I have been employed by the City of Hope in Duarte, California from June 1969 to the present as Director, Department of Biology.

3. During the period of July 1980 through September 1980, I was at Genentech on sabbatical from the City of Hope. My intention was to explore the possibility of producing antibodies in bacteria. After my stay at Genentech, I returned to the City of Hope where I formulated a proposal whereby Genentech would assist in the funding of this project (Cabilly Exhibit No. 2). The proposal was based in part on conversations between Dr. Heyneker, Shmuel Cabilly and myself. I submitted this proposal for review by Genentech on October 5, 1981. Included in this proposal was a research plan for the cloning, bacterial expression, and alteration of both heavy and light chain genes from a monoclonal antibody directed against human carcinoembryonic antigen (CEA). Furthermore, I suggested in the proposal that (Cabilly Exhibit No. 2, Bates No. 00922) a single bacterial strain could be constructed which contained both heavy and light chain genes for co-expression, an idea discussed during our earlier conversations.

4. My experimental plan included the collaboration of Dr. Shmuel Cabilly, a post doctoral fellow in my laboratory at the City of Hope, and Dr. Herbert Heyneker, a Senior Scientist at Genentech.

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5. I discussed this proposed project with Dr. John Shively from the City of Hope, who was involved in the study of anti-CEA antibodies. I requested from him a hybridoma cell line that expressed these antibodies. I received this cell line (CEA.66-E3) on or about February, 1981.

6. During the period of these studies I worked closely with Dr. Cabilly, who was under my direct supervision. In addition, I maintained regular contact with Dr. Heyneker.

7. I further declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

  
Arthur Riggs, Ph.D.

Dated: 10/28/91

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