

Served on behalf of Petitioner COALITION FOR AFFORDABLE DRUGS X LLC

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COALITION FOR AFFORDABLE DRUGS X LLC,
Petitioner,

v.

ANACOR PHARMACEUTICALS, INC.,
Patent Owner.

Case No.: IPR2015-01776
Patent No.: 7,582,621

**DECLARATION OF RYAN J. FLETCHER
IN SUPPORT OF PETITION FOR *INTER PARTES* REVIEW OF
PATENT NO. 7,582,621**

I, Ryan James Fletcher, hereby declare as follows:

1. I am an attorney with the law firm of Merchant & Gould P.C., counsel for Petitioner Coalition for Affordable Drugs X LLC. I submit this declaration in support of Coalition for Affordable Drugs X LLC's Petition For *Inter Partes* Review of Patent No. 7,582,621 ("Petition"). I have personal knowledge of the facts stated herein.

4. Exhibit 1049 is a true and correct copy of Chapter 1 from G.W. Gribble & T.L. Gilchrist, *Progress in Heterocyclic Chemistry*, ISHC, Volume 12, (2000).

5. Exhibit 1051 is a true and correct copy of a press release entitled "Anacor Co-Founders Recognized for Scientific Achievements" from June 10, 2009 that is available on Anacor's website here:

<http://investor.anacor.com/releasedetail.cfm?releaseid=527603>.

6. Exhibit 1054 is a true and correct copy of an article entitled "Comparative Toxicology of Borates" by Susan A. Hubbard from Biological Trace Element Research, Proceedings of the Second International Symposium on the Health Effect of Boron and Its Compounds, Volume 66, 1998.

7. Exhibit 1058 is a true and correct copy of Chapter 8 and Chapter 9 from "Borates: Handbook of Deposits, Processing, Properties, and Use" by Donald

E. Garrett, 1998.

8. Exhibit 1061 is a true and correct copy of an article entitled “*In Vivo* Percutaneous Absorption of Boron as Boric Acid, Borax, and Disodium Octaborate Tetrahydrate in Humans” by Ronald C. Wester *et. al.* from Biological Trace Element Research, Proceedings of the Second International Symposium on the Health Effect of Boron and Its Compounds, Volume 66, 1998.

9. Exhibit 1067 is a true and correct copy of the ASTM® D5134 Qualitative Reference Naphtha Standard, Safety Data Sheet that I downloaded and is available on the Sigma-Aldrich website here:

<http://www.sigmaaldrich.com/MSDS/MSDS/DisplayMSDSPage.do?country=US&language=en&productNumber=48265-U&brand=SUPELCO&PageToGoToURL=http%3A%2F%2Fwww.sigmaaldrich.com%2Fcatalog%2Fproduct%2Fsupelco%2F48265u%3Flang%3Den>.

10. Exhibit 1068 is a true and correct copy of the Material Safety Data Sheet for tavorole that I downloaded and is available on the SynInnova® website here: <http://www.syninnova.com/generatemsdspdf.php?pid=SL-264>.

11. Exhibit 1069 is a true and correct copy of the FDA approval letter for Jublia® that I downloaded from the FDA website and is available on the FDA website here:

http://www.accessdata.fda.gov/drugsatfda_docs/nda/2014/203567Orig1s000ApLtr.pdf.

12. Exhibit 1070 is a true and correct copy of the complete prosecution history for U.S. Patent No. 7,582,621 that I downloaded from the Patent Office website.

13. Exhibit 1071 is a true and correct copy of the FDA approval letter for Kerydin® that I downloaded from the FDA website and is available on the FDA website here:

http://www.accessdata.fda.gov/drugsatfda_docs/nda/2014/204427Orig1s000Approv.pdf.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: August 23, 2016

By: /s/Ryan J. Fletcher/
Ryan J. Fletcher