

**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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ARGENTUM PHARMACEUTICALS LLC,  
Petitioner,

v.

RESEARCH CORPORATION TECHNOLOGIES, INC.,  
Patent Owner.

Case No. IPR2016-00204  
Patent No. RE38551

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**DECLARATION OF PAUL M. PETIGROW  
IN SUPPORT OF EVIDENCE**

“Harris”). I have been employed by Harris since February 1, 2016. In my role as Vice President and General Counsel, I have oversight of all legal and business matters for the company.

3. Based on a general investigation of Harris’ business and business practices during the 1997 to 1999 time period, I understand that Harris sent letters in the late 1990s, in the regular course of business, to a number of pharmaceutical companies offering a license to the compound lacosamide, also known as “ADD 234037” or “harkeroside.”

4. Based on a general investigation of Harris’ business and business practices during the 1997 to 1999 time period, I understand that Harris engaged L. J. McDermott in the regular course of its business, for assistance in its lacosamide licensing efforts. I understand that Mr. McDermott contacted a number of pharmaceutical companies, offering a license to lacosamide, on behalf of Harris.

5. Based on a general investigation of Harris’ business and business practices during the 1997 to 1999 time period, I understand that Harris received correspondence, in the regular course of its business, from a number of pharmaceutical companies in response to its licensing offers. I further understand

6. Based on a general investigation of Harris' business and business practices during the 1997 to 1999 time period, I understand that copies were maintained in the ordinary course of business, of the correspondence received by Harris, or conveyed to Harris through Mr. McDermott, with respect to its lacosamide licensing efforts during the 1997 to 1999 time period. Correspondence, including facsimiles, were first received through Harris' office staff. Once correspondence was received, the office staff would create a copy at or near the time of receipt. The office staff would also stamp the correspondence as appropriate, indicating a "received" date or "file copy," for example. I also understand that notes were occasionally handwritten on these copies by the office staff, indicating that copies of the correspondence were also sent to certain Harris employees. These copies of received correspondence were then filed by the office staff and physically stored at Harris' offices, located at 2139 Route 35 in Holmdel, New Jersey. I understand that this was the regular practice at Harris for handling incoming correspondence regarding Harris' lacosamide licensing efforts during the 1997 to 1999 time period.

course of business, in response to Harris' lacosamide licensing efforts. On information and belief, the individual responding on behalf of Akzo Nobel was Ben Tan, of the Head Licensing Department, who would have possessed personal knowledge of the contents of this correspondence. I understand that according to Harris' routine business practice at the time, a copy of this correspondence was made and filed on or around October 10, 1997.

8. I understand that the document identified as Ex. 2152 is an authentic copy of a facsimile forwarded by Mr. McDermott, dated October 1, 1998, from Harris' files. I understand that this correspondence was received in the ordinary course of business, regarding Harris' lacosamide licensing efforts with respect to Astra Pharmaceuticals, L.P. On information and belief, the individual responding on behalf of Astra Pharmaceuticals, L.P. was Alan Baker, the Director of Business Development, who would have possessed personal knowledge of the contents of this correspondence. I understand that according to Harris' routine business practice at the time, a copy of this correspondence was made and filed on or around October 1, 1998.

ordinary course of business, regarding Harris' lacosamide licensing efforts with respect to Bayer AG. On information and belief, the individual responding on behalf of Bayer AG was Dr. Jurgen Ebbers, of the Licensing North American Partners division, who would have possessed personal knowledge of the contents of this correspondence. I understand that according to Harris' routine business practice at the time, a copy of this correspondence was made and filed on or around March 9, 1998.

10. I understand that the document identified as Ex. 2154 is an authentic copy of a facsimile received from Boehringer Ingelheim on March 3, 1999, from Harris' files. I understand that this correspondence was received in the ordinary course of business, in response to Harris' lacosamide licensing efforts. On information and belief, the individual responding on behalf of Boehringer Ingelheim was Dr. Heinz Scheid, who would have possessed personal knowledge of the contents of this correspondence. I understand that according to Harris' routine business practice at the time, a copy of this correspondence was made and filed on or around March 3, 1999.

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