

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTELGENX CORP.
Petitioner

v.

ICOS CORP.
Patent Owner

U.S. Patent No. 6,943,166

Inter Partes Review Case No. Unassigned

DECLARATION OF WAYNE J.G. HELLSTROM, M.D., FACS

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I, Wayne Hellstrom, MD, FACS, hereby declare as follows.

I. Introduction

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

2. I have been retained as an expert witness on behalf of INTELGENX CORP. ("INTELGENX") 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, which is \$750 per hour.

3. I understand that the petition for *inter partes* review involves U.S. Patent No. 6,943,166 ("the '166 patent"), INX1001, which resulted from U.S. Patent Application No. 10/031,556 ("the '556 application"), which is a national stage entry application of PCT Application Publication No. WO 00/66099 ("the '099 PCT application"), filed April 26, 2000. I also understand that the '166 patent's earliest possible priority date is April 30, 1999, the filing date of U.S. Provisional Patent Application No. 60/132,036. The '166 patent names William Ernest Pullman and John Steven Whitaker as the inventors. The '166 patent issued on September 13, 2005, from the '556 application. I understand that, according to the United States Patent and Trademark Office ("USPTO") records, the '166 patent is currently assigned to ICOS Corp. I also understand that ICOS Corp. is owned by Eli Lilly & Co. The patentee is referred to herein as "ICOS."

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