

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SANOFI-AVENTIS U.S. LLC AND
REGENERON PHARMACEUTICALS, INC.,
Petitioners

v.

GENENTECH, INC. AND CITY OF HOPE,
Patent Owners

U.S. Patent No. 6,331,415
Appl. No. 07/205,419, filed June 10, 1988
Issued: Dec. 18, 2001

Title: Methods of Producing Immunoglobulins, Vectors
and Transformed Host Cells for Use Therein

IPR Trial No. TBD

**DECLARATION OF JEFFERSON FOOTE, PH.D., IN SUPPORT OF
SANOFI-AVENTIS U.S. LLC AND REGENERON'S PETITION FOR
INTER PARTES REVIEW OF U.S. PATENT NO. 6,331,415**

TABLE OF CONTENTS

	<u>Page</u>
I. BACKGROUND AND QUALIFICATIONS, PREVIOUS TESTIMONY, AND COMPENSATION	1
A. Background and Qualifications	1
B. Prior Testimony	4
C. Compensation	4
II. MATERIALS CONSIDERED	5
A. Anticipation	5
B. Obviousness	6
C. Person of Ordinary Skill in the Art	8
D. Claim Construction	9
III. SUMMARY OF OPINIONS	9
IV. OVERVIEW OF THE '415 PATENT AND THE CHALLENGED CLAIMS	10
A. Description of the Technology of the '415 Patent and the Challenged Claims	10
B. The Prosecution and Reexamination History of the '415 Patent	19
V. PRIOR ART RELEVANT TO MY OPINIONS	22
A. Technology Background	22
1. The Sophistication of Recombinant DNA Technology Was Advanced by April 8, 1983, and Mammalian Proteins Were Being Made in Host Cells Transformed with Foreign Genes	22
2. Prior Art Production of Single Immunoglobulin Chains	25

TABLE OF CONTENTS
(continued)

Page

3.	The Prevailing Mindset by April 1983 Was That One or More Proteins of Interest Could be Made in a Single Host Cell	27
B.	References Underlying Petitioners' Challenge to the Patentability of the Claims of the '415 Patent	33
1.	The Bujard Patent Discloses Expressing a "Plurality of Genes" in Bacterial or Mammalian Host Cells and Identifies "Immunoglobulins" as a Protein of Interest	33
2.	The Cohen & Boyer Patent Discloses Expressing "One or More Genes" in Bacteria and Identifies "Antibodies" as a Protein of Interest	40
3.	Riggs & Itakura Discloses Hybridomas as a Source of Antibody Genes and the In Vitro Assembly of Heavy and Light Chains	45
4.	Southern Discloses One Host Cell Transformed with Two Vectors	46
VI.	ANTICIPATION AND OBVIOUSNESS OF THE CHALLENGED CLAIMS	49
A.	Opinions in Support of Petitioners' Anticipation and Obviousness Arguments Concerning the Challenged Claims Based on the Bujard Patent	49
1.	Bujard Discloses Each and Every Limitation of Claims 1, 15, 17 and 33	49
2.	Bujard Discloses Each and Every Limitation of Claims 3, 4, 9, 11, 12, 16 and 19	52
3.	Claims 1, 3, 4, 11, 12, 14, 19 and 33 in View of Bujard in Combination with Riggs & Itakura	54

TABLE OF CONTENTS
(continued)

Page

4.	Claims 1, 2, 18, 20 and 33 in View of Bujard in Combination with Southern	57
B.	Opinions in Support of Petitioners' Obviousness Arguments Concerning Claims 1, 3, 4, 11, 12, 14 and 33 Based on the Cohen & Boyer Patent and the Riggs & Itakura Publication.....	60
1.	The Disclosures of Cohen & Boyer	60
a.	Cohen & Boyer Disclosures with Respect to Independent Claims 1 and 33	60
b.	Cohen & Boyer's Disclosures with Respect to Dependent Claims 3, 4, 11 and 12.....	62
2.	Claims 1, 3, 4, 11, 12, 14 and 33 in View of Cohen & Boyer in Combination with Riggs & Itakura.....	63

1. I, Jefferson Foote, Ph.D., have been retained by Mayer Brown LLP, counsel for sanofi-aventis U.S. LLC and Regeneron Pharmaceuticals, Inc. I understand that sanofi-aventis and Regeneron have petitioned for *inter partes* review of U.S. Patent No. 6,331,415 ("the '415 patent," Ex. 1001) and requested that the United States Patent and Trademark Office cancel Claims 1-4, 9, 11, 12, 14-20 and 33 of the '415 patent ("the challenged claims") as unpatentable. The following discussion and analyses address and are presented in support of the bases for sanofi-aventis and Regeneron's petition.

I. BACKGROUND AND QUALIFICATIONS, PREVIOUS TESTIMONY, AND COMPENSATION

A. Background and Qualifications

2. As further detailed in my CV, attached as Exhibit A, I received a bachelor's degree from Harvard College in 1977 in Biochemical Sciences. My senior thesis involved structural studies on the enzyme aspartate transcarbamylase from *Escherichia coli* (*E. coli*) and was performed in the Chemistry Department under the direction of Professor William N. Lipscomb.

3. After receiving my undergraduate degree, I worked as a research assistant in Harvard's Department of Biochemistry and Molecular Biology from 1977-79 in the laboratory of Professor David Dressler. My first research project

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