UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

HOLOGIC, INC.,
Petitioner

v.

ENZO LIFE SCIENCES, INC.
Patent Owner

U.S. Patent No. 7,064,197

SYSTEM, ARRAY AND NON-POROUS SOLID SUPPORT COMPRISING FIXED OR IMMOBILIZED NUCLEIC ACIDS

DECLARATION OF DR. NORMAN NELSON

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I, Norman Nelson, do hereby declare:

1. I am making this declaration at the request of Hologic, Inc. ("Hologic") in the matter of the *Inter Partes* Review of U.S. Patent No. 7,064,197 to Rabbani et al. ("the '197 patent").
2. My qualifications are established by my resume, which I understand is provided as Exhibit A to this Declaration.
3. I am being compensated for my work on this matter, but my opinions are based on my own views of the patented technology and the prior art. My compensation in no way depends on the outcome of this proceeding or the content of my testimony.
4. In preparing this Declaration, I reviewed and considered the '197 patent, the prosecution history of the '197 patent, and the documents listed at the end of this declaration. Importantly, I have reviewed the related Petition, which I understand Hologic will file at the United States Patent and Trademark Office (USPTO) at the same time as this Declaration is filed at the USPTO.

I. QUALIFICATION AND EXPERIENCE

5. I obtained a Ph.D. in Chemistry, with a focus in Biochemistry, in 1982 from University of California, San Diego. I also received a Bachelor of Science in Chemistry from California Institute of Technology in 1976.

6. I have nearly 31 years of experience in molecular diagnostics and nucleic acid chemistry, particularly nucleic acids analysis. I am and was very knowledgeable about conventional techniques for attaching nucleic acids to other moieties like solid supports or labels. I worked for Gen-Probe Incorporated (now acquired by Hologic, Inc.)—a pioneer and leader in molecular diagnostics—for 27 years (June 1985-August 2012). While at Gen-Probe, I co-invented, reduced to practice, and played a key role in commercialization of multiple core technologies involving nucleic acids analysis, which are currently in FDA-approved products.

7. I started my career at Gen-Probe as a scientist (1985-2005), where I developed and implemented key nucleic acids-based technologies and assays, including nucleic acids capture/immobilization and labeling techniques, hybridization, amplification and detection of nucleic acids. As the Director of Biochemistry at Gen-Probe (2005-2009), I led a multidisciplinary team in the development of multiplexed nucleic acids-based assays. And as the Senior Director of Discovery Research at Gen-Probe (2009-2012), I focused on the development and commercialization of various nucleic acids-based diagnostic products.

8. I have been working as a consultant in the field of nucleic acids-based diagnostics, DNA sequencing and Genomics since 2012.

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