

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WOCKHARDT BIO AG
Petitioner,

v.

JANSSEN ONCOLOGY, INC.,
Patent Owner.

Case No. IPR2016-01582
U.S. Patent No. 8,822,438

DECLARATION OF BINDU DONOVAN

Declaration of Bindu Donovan

1. My name is Bindu Donovan. I am an attorney for Sidley Austin LLP, attorneys for Patent Owner Janssen Oncology, Inc. Unless otherwise stated, I have knowledge of all facts set forth in this declaration, and I would, and could, testify competently thereto if called upon to do so.

2. Exhibits JSN 2010-2011, filed on December 19, 2016, are references cited in the Patent Owner Response filed March 17, 2017 in the above-captioned matter.

3. Exhibits JSN 2012-2014, 2034-2035, 2050, 2070, 2073-2075, 2077-78, 2081-2084, 2089, 2091, 2098-2108, 2112-2113, 2132, 2137-38, 2151, 2154, and 2158, filed on March 17, 2017, are references cited in the Patent Owner Response filed March 17, 2017 in the above-captioned matter.

4. Exhibit JSN 2010, filed on December 19, 2016, is a true and correct copy of the Opinion (*Markman* Patent Claim Construction) issued by the District Court for the District of New Jersey in *BTG International Ltd. v. Actavis Laboratories FL, Inc.*, No. 2:15-cv-05909-KM-JBC, D.I. 239 (D.N.J. Nov. 10, 2016). An exhibit label has been added, but no other alterations have been made.

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5. Exhibit JSN 2011, filed on December 19, 2016, is a true and correct copy of the Order (*Markman* Patent Claim Construction) issued by the District Court for the District of New Jersey in *BTG International Ltd. v. Actavis Laboratories FL, Inc.*, No. 2:15-cv-05909-KM-JBC, D.I. 240 (D.N.J. Nov. 10, 2016). An exhibit label has been added, but no other alterations have been made.

6. Exhibit JSN 2012, filed on March 17, 2017, is a true and correct copy of PM Live Top 50 Pharmaceuticals, available at http://www.pmlive.com/top_pharma_list/Top_50_pharmaceutical_products_by_global_sales, last visited on or before March 17, 2017. An exhibit label has been added, but no other alterations have been made.

7. Exhibit JSN 2013, filed on March 17, 2017, is a true and correct copy of the Johnson & Johnson January 26, 2016 Press Release, available at <http://www.investor.jnj.com/releasedetail.cfm?ReleaseID=951652>, last visited on or before March 17, 2017. An exhibit label has been added, but no other alterations have been made.

8. Exhibit JSN 2014, filed on March 17, 2017, is a true and correct copy of the Johnson & Johnson January 24, 2017 Press Release, available at

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<http://www.investor.jnj.com/releasedetail.cfm?ReleaseID=1008867>, last visited on or before March 17, 2017. An exhibit label has been added, but no other alterations have been made.

9. Exhibit JSN 2034, filed on March 17, 2017, is a true and correct copy of the Johnson & Johnson January 21, 2014 Press Release, available at <http://www.investor.jnj.com/releasedetail.cfm?releaseid=820215>, last visited on or before March 17, 2017. An exhibit label has been added, but no other alterations have been made.

10. Exhibit JSN 2035, filed on March 17, 2017, is a true and correct copy of the Johnson & Johnson January 20, 2015 Press Release, available at <http://www.investor.jnj.com/releasedetail.cfm?ReleaseID=891937>, last visited on or before March 17, 2017. An exhibit label has been added, but no other alterations have been made.

11. Exhibit JSN 2050, filed on March 17, 2017, is a true and correct copy of article MedlinePlus, "ACTH stimulation test," available at <https://medlineplus.gov/ency/article/003696.htm>, last visited on or before March 17, 2017. An exhibit label has been added, but no other alterations have been made.

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12. Exhibit JSN 2070, filed on March 17, 2017, is a true and correct copy of the FDA Press Release (2011), available at <http://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm253055.htm>, last visited on or before March 17, 2017. An exhibit label has been added, but no other alterations have been made.

13. Exhibit JSN 2073, filed on March 17, 2017, is a true and correct copy of the Tokai July 26, 2016 Press Release, available at <http://www.businesswire.com/news/home/20160726005553/en/>, last visited on or before March 17, 2017. An exhibit label has been added, but no other alterations have been made.

14. Exhibit JSN 2074, filed on March 17, 2017, is a true and correct copy of the Active/Ipsen April 16, 2015 Press Release, available at <http://activebiotech.com/press-releases?pressid=1911619>, last visited on or before March 17, 2017. An exhibit label has been added, but no other alterations have been made.

15. Exhibit JSN 2075, filed on March 17, 2017, is a true and correct copy of the Takeda June 19, 2014 Press Release, available at https://www.takeda.com/news/2014/20140619_6615.html, last visited on or before

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