UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WOCKHARDT BIO AG,

Petitioner

v.

JANSSEN ONCOLOGY, INC.,

Patent Owner

Case IPR: Unassigned

U.S. Patent No. 8,822,438

DECLARATION OF ROBERT D. STONER, Ph.D.

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I, Robert D. Stoner, Ph.D., declare as follows:

I. Introduction

A. Background and Qualifications

1. I am over the age of eighteen and otherwise competent to make this declaration. I have personal knowledge of the facts set forth in this Declaration and am competent to testify to the same.

2. I am a Principal at Economists Incorporated, and an expert in industrial organization, with more than twenty five years of experience in consulting, antitrust, and economic research. I provide expert witness testimony and consulting in a variety of areas, including reasonable royalties, commercial success, damages estimation, and business strategy.

3. My expertise and experience encompass a variety of topics, including intellectual property, competition, antitrust, utility regulation, international trade, commercial litigation, and class action. My work in intellectual property spans the life sciences (with specific industry expertise in pharmaceuticals, medical devices and drug wholesaling) as well as electronics (including computer memory, digital music, smart phones, text messaging and telecommunications). I have worked on projects in a diverse range of other industries (such as pharmaceutical data, electric utilities, grocery stores, casinos, hospital beds, automobiles and oil refining and marketing). I frequently provide expertise and analysis in evaluating commercial

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success in the pharmaceutical industry.

4. I earned my Ph.D. and M.A. in Economics from Berkeley, University of California in 1978 and 1976, respectively, and my B.A. in Economics from Santa Cruz, University of California in 1970. At Santa Cruz, I received both General Honors and Honors in Economics. I have also published research in several peer-reviewed academic journals.

5. I am educated and experienced in economics, as detailed in this Declaration. My qualifications and credentials are also fully set forth in my *curriculum vitae*, provided as WCK1078. I understand that my declaration will be included in Petitioner's Exhibit List as WCK1077. I have examined and am familiar with the contents of WCK1048-1080. Each of these Exhibits is publicly available, or derived from documents that are publicly available, and is a true and correct copy of the documents cited, including but not limited to the following: WCK1048, WCK1052, WCK1054, WCK1057, WCK1059, WCK1060, WCK1061, WCK1063, WCK1065, WCK1067, WCK1068, WCK1069, WCK1070, WCK1071, WCK1073 and WCK1080.

B. Scope of Work

6. I have been retained on behalf of Wockhardt Bio AG ("Wockhardt" or "Petitioner") in connection with the above-captioned *inter partes* review ("IPR"). I am being compensated at a rate of $595 per hour for my work. My compensation is

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