

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

ILLUMINA, INC.
Petitioner

v.

THE SCRIPPS RESEARCH INSTITUTE
Patent Owner

INTER PARTES REVIEW OF U.S. PATENT NO. 6,060,596
ENCODED COMBINATORIAL CHEMICAL LIBRARIES

DECLARATION OF BRIAN M. STOLTZ, PH.D.

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I, Brian M. Stoltz, Ph.D., declare as follows:

I. INTRODUCTION

1. I have been retained by Finnegan, Henderson, Farabow, Garrett & Dunner, LLP on behalf of Illumina, Inc. as an independent consultant in this proceeding before the U.S. Patent and Trademark Office. Although I am being compensated at my normal consulting rate of \$650.00 per hour for the time I spend on this matter, my compensation in no way depends on the outcome of this proceeding or the content of my testimony, and I have no other interest in this proceeding.

2. I have been asked to consider certain issues regarding U.S. Patent No. 6,060,596 (“the ’596 patent”) (Ex. 1001). The claims of the ’596 patent are directed to bifunctional molecules having the components A—B—C, wherein A is a polymer comprising a linear series of chemical units, B is a linker molecule, and C is an identifier oligonucleotide. *Id.* at 43:1-14. The identifier oligonucleotide C comprises a linear series of unit identifier nucleotide sequences, each of which identifies a corresponding chemical unit in polymer A. *Id.* The claims also recite libraries of these bifunctional molecules. *Id.* at 44:4-5. The claimed bifunctional molecules, and the method of synthesis discussed in the specification of the ’596 patent, are illustrated below:

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