

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

COMPLEX INNOVATIONS, LLC,
Petitioner,

v.

ASTRAZENECA AB

U.S. Patent 7,759,328

DECLARATION OF MARTIN BEASLEY, Ph.D.

I.	Scope of Analysis	5
A.	Qualifications and Expertise	7
B.	Legal Framework	9
1.	A Person of Ordinary Skill in the Art	9
2.	My Understanding of Claim Construction.....	9
3.	My Understanding of Anticipation	10
4.	My Understanding of Obviousness.....	10
II.	Background.....	11
A.	Inhalable Pharmaceutical Drug Formulations.....	12
1.	The Original, Expired Symbicort Patent.....	14
2.	Transition of Budesonide and Formoterol to HFA.....	15
3.	Mistry Disclosure of an HFA Formulation with PEG and PVP For Stability	16
4.	Rogueda Stability Teachings with Precise References to PEG 1000, and PVP K25.....	18
5.	Development of the 328 Patent in Light of Prior Art Formulations.....	19
B.	Background of the 328 Patent (Ex. 1001).....	20

1.	Stability in the 328 Patent Through PVP.....	22
2.	Valve Lubrication Through PEG in the 328 Patent.....	26
3.	Brief Description of Challenged Claims of the 328 Patent	28
III.	Ground 1: Mistry Anticipates Claims 1, and 4-15 of the 328 Patent.....	30
A.	Background of Mistry	30
B.	Analysis of 328 Patent Claims 1, and 4-15 In View of Mistry.....	31
	Claim 1(a)	31
	Claim elements 1(b) and 1(c) relate to formoterol and budesonide concentrations.	32
	Claim 1(b)	33
	Claim 1(c)	34
	Claim 1(d)	35
	Claim 1(e)	37
	Claims 4-7	40
	Claims 8-11	41
IV.	Ground 2: Rogueda Anticipates Claims 1, and 4-15 of the 328 Patent	42
A.	Background of Rogueda.....	42
B.	Analysis of 328 Patent Claims 1, 4-15 in Light of Rogueda	43

Claim 1(a)	43
Claim Elements 1(b) and (c) Anticipation – Rogueda Examples.....	44
Claim Elements 1(b) and (c) Anticipation – Rogueda Control Samples.....	47
Claim 1(d)	49
Claim 1(e)	50
Claims 4-7	52
Claims 8-11	53
V. Ground 3: Mistry in View of Rogueda and Carling Renders Obvious Claims 1, and 4-15.....	54
A. Motivation to Combine	54
Claim element 1(a).....	56
Claim elements 1(b) and 1(c), and Claims 12-15	56
Claim elements 1(d) and 1(e).....	57
Claims 4-11	60
VI. Ground 4: Mistry in View of Rogueda, Meade, and Lewis Render Obvious Claims 2 and 3.....	61
VII. Conclusion	64

I, Martin Beasley, declare as follows:

1. I have been retained by Hill, Kertscher & Wharton, LLP, which represents Complex Innovations, LLC, in connection with a petition for *inter partes* review of U.S. Patent No. 7,759,328, titled *Composition for Inhalation* (“328 Patent”). I understand that the 328 Patent is currently assigned to ASTRAZENECA AB.

I. Scope of Analysis

2. I have reviewed and am familiar with the 328 Patent, which issued to Govind, *et al.* on July 20, 2010. I understand that the 328 Patent includes 15 claims. I also understand that the Petition for *inter partes* review that accompanies this Declaration seeks to cancel claims 1-15 of the 328 Patent. My analysis and opinions will focus on all challenged claims 1-15.

3. I am advised that based on the patent law around filing dates and effective filing dates, my analysis should assume that the time of invention is, at the earliest, Feb. 1, 2002, the date of filing of the foreign application in Sweden, and that the Rogueda reference may be used as prior art under 102(a) and 102(b).

4. I have reviewed and am familiar with various references, written materials, and literature, which are itemized below:

- a) Ex. 1001 U.S. Patent No. 7,759,328 to Govind, *et al.* (“328 Patent”)

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