

Filed on behalf of: Abraxis Bioscience, LLC
Filed: November 7, 2017

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ACTAVIS LLC,
Petitioner

v.

ABRAXIS BIOSCIENCE, LLC,
Patent Owner

Case IPR2017-01104
U.S. Patent No. 8,138,229

DECLARATION OF LISAMARIE LOGIUDICE

I, Lisamarie LoGiudice, make the following Declaration pursuant to 28

U.S.C. § 1746:

1. I am an attorney with the law firm Jones Day.

2. I provide this Declaration in response to Petitioner Actavis LLC's

Objections to Evidence in connection with the above-identified *Inter Partes*

Review proceeding (served October 24, 2017). Unless otherwise stated, the facts stated in this Declaration are based on my personal knowledge.

3. Exhibit 2006 is a true and accurate copy of the webpage located at

[http://www.fdanews.com/articles/print/98911-phase-iii-trial-of-tocosol-paclitaxel-](http://www.fdanews.com/articles/print/98911-phase-iii-trial-of-tocosol-paclitaxel-does-not-meet-primary-endpoint)

[does-not-meet-primary-endpoint](http://www.fdanews.com/articles/print/98911-phase-iii-trial-of-tocosol-paclitaxel-does-not-meet-primary-endpoint) as of June 26, 2017. The contents and substance

of this document indicate that it is what it purports to be. The date on the

document indicates that it was downloaded on June 16, 2017, the website is

indicated as fdanews.com, the copyright information, such as the date, address,

phone and fax numbers, is included, and the URL link appears on the bottom left

of the page.

4. Exhibit 2010 is a true and accurate copy of the webpage located at

<https://www.firstwordpharma.com/print/1398969?tsid=1> as of June 26, 2017. The

contents and substance of this document indicate that it is what it purports to be.

The date on the document indicates that it was downloaded on June 26, 2017, the

website is indicated as www.firstwordpharma.com, the copyright information

appears in the document, the article has a date of July 12, 2016, and the URL link appears on the bottom left of the page.

5. Exhibit 2015 is a true and accurate copy of the webpage located at <http://www.webmd.com/breast-cancer/news/20090603/breast-cancer-drug-abraxane-is-effective?print=true> as of June 26, 2017. The contents and substance of this document indicate that it is what it purports to be. The date on the document indicates that it was downloaded on June 26, 2017, the website is indicated as www.webmd.com, the copyright information appears in the document, the article has a date of June 3, 2009, and the URL link appears on the bottom left of the page.

6. Exhibit 2032 is a true and accurate copy of the webpage located at http://blogs.sciencemag.org/pipeline/archives/2008/08/29/sticky_containers_vanishing_drugs as of June 16, 2017. The contents and substance of this document indicate that it is what it purports to be. The date on the document indicates that it was downloaded on June 16, 2017, the article has a date of August 29, 2008, and the URL link appears on the bottom left of the page.

7. Exhibit 2051 is a true and accurate copy of the webpage located at http://www.pharmacopeia.cn/v29240/usp29nf24s0_m60190.html. The webpage links to the The United States Pharmacopeia, USP 29 NF 24. The document also

includes the location where auxiliary information can be found, which is set forth on the last page of the document.

8. Attached hereto as Appendix A is a true and accurate copy of an excerpt of The United States Pharmacopeia, USP 29 NF 24. The excerpt attached hereto contains the identical content, with respect to Paclitaxel, contained in Exhibit 2051 except that it does not identify the location of auxiliary information.

Declaration

9. I declare that all statements made herein on my own knowledge are true and that all statements made on information and belief that are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Dated: November 7, 2017

Signature:



Lisamarie LoGiudice, Ph.D. (Reg. No. 71,047)

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APPENDIX A

Explore Litigation Insights

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