

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BRECKENRIDGE PHARMACEUTICAL, INC.

Petitioner

v.

NOVARTIS PHARMACEUTICALS CORPORATION

Patent Owner

Case IPR2017-01592¹
U.S. Patent No. 8,410,131

**SECOND DECLARATION OF ALLAN J. PANTUCK, M.D.
IN SUPPORT OF
INTER PARTES REVIEW OF U.S. PATENT NO. 8,410,131**

¹ IPR2018-00507 has been joined to this proceeding.

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I, Allan J. Pantuck, resident of Los Angeles, California, hereby declare as follows:

I. INTRODUCTION

1. I am the same Allan J. Pantuck whose declaration (Ex. 1010) and curriculum vitae (Ex. 1028) were submitted with respect to the petition (IPR2017-01592) for review of U.S. Patent No. 8,410,131 ("the '131 patent"). My work in this matter is being billed at my standard rate of \$650 per hour, with reimbursement for necessary and reasonable expenses. My compensation is not in any way contingent upon the outcome of any *Inter Partes* Review. I have no financial or personal interest in the outcome of this proceeding or any related litigation. In the discussion that follows, I have referred to the Ex. 1010 declaration as "my first declaration" or simply "Pantuck."

2. The challenged claims of the '131 patent include claims 1-3 and 5-9 and relate to methods for inhibiting growth of solid excretory system tumors in a subject, consisting of administering a therapeutically effective amount of everolimus.

3. I have reviewed the documents of record in the present IPR proceeding, including the EXPERT DECLARATION OF DR. HOWARD A. BURRIS, III ("First Burris Declaration" (or "fBD") Ex. 2001) and the CORRECTED EXPERT DECLARATION OF DR. HOWARD A. BURRIS, III ("Corrected Burris Declaration" (or "cBD") Ex. 2092) and references cited therein.

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