UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INNOPHARMA LICENSING, LLC,
Petitioner

v.

ASTRAZENECA AB,
Patent Owner

Case IPR2017-00900
Patent No. 8,329,680

DECLARATION OF RICHARD BERGSTROM, Ph.D., UNDER 37 C.F.R. § 1.68 IN SUPPORT OF PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 8,329,680

Mail Stop: Patent Board
Patent Trial and Appeal Board
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

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I, Richard Bergstrom, Ph.D. hereby declare as follows:

I. INTRODUCTION

1. I have been retained as an expert witness on behalf of InnoPharma Licensing, LLC ("InnoPharma") for the above-captioned Petition for *Inter Partes* Review ("IPR") of U.S. Patent No. 8,329,680 ("the '680 patent"). I am being compensated for my time in connection with this IPR at my standard consulting rate of $375 per hour. My compensation is in no way dependent on the outcome of this matter.

2. I have been asked to provide my opinions regarding whether the therapeutically significant blood plasma fulvestrant concentrations recited in claims 1-3 and 6 of the '680 patent would have been obvious to a person having ordinary skill in the art at the time of the alleged invention.

3. In preparing this Declaration, I have reviewed the '680 patent, the file histories of the '680 patent and related patents, and numerous prior art references from the time of the alleged invention.

4. I have been advised and it is my understanding that patent claims in an IPR are given their broadest reasonable construction in view of the patent specification, file history, and the understanding of one having ordinary skill in the relevant art at the time of the purported invention.

5. In forming the opinions expressed in this Declaration, I relied upon

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