

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MODERNA THERAPEUTICS, INC.,
Petitioner,

v.

PROTIVA BIOTHERAPEUTICS, INC.,
Patent Owner.

Case No. IPR2018-00739
Patent No. 9,364,435

**NOTICE OF FILING TRANSCRIPT OF APRIL 30, 2019 TELEPHONIC HEARING AND
PETITIONER'S UPDATED EXHIBIT LIST**

Mail Stop: PATENT BOARD
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Petitioner Moderna Therapeutics hereby provides notice to the Board that the Petitioner has filed the transcript of the conference call held April 30, 2019 as Exhibit 1026. Petitioner’s Updated Exhibit List is included with this notice:

Exhibit No.	References
1001	U.S. Patent No. 9,364,435
1002	International Publication No. WO 2005/007196
1003	U.S. Publication No. US2006/0134189
1004	U.S. Publication No. US2006/0240554
1005	Lin, Alison J. et al., <i>Three-Dimensional Imaging of Lipid Gene-Carriers: Membrane Charge Density Controls Universal Transfection Behavior in Lamellar Cationic Liposome-DNA Complexes</i> , 84 BIOPHYSICAL JOURNAL, 3307–16 (2003) (“Lin”)
1006	Ahmad, Ayesha et al., <i>New multivalent cationic lipids reveal bell curve for transfection efficiency versus membrane charge density: lipid-DNA complexes for gene delivery</i> , 7 J GENE MED 739–48 (2005) (“Ahmad”)
1007	Declaration of Dr. Andrew S. Janoff
1008	Gao, Xiang et al., <i>Nonviral Gene Delivery: What We Know and What Is Next</i> , 9 AAPS JOURNAL Article 9, pp. E92-E104 (2007) (“Gao”)
1009	Bennett, Michael J. et al., <i>Cholesterol Enhances Cationic Liposome-Mediated DNA Transfection of Human Respiratory Epithelial Cells</i> , 15 Bioscience Reports, pp. 47-53 (1995) (“Bennett”)
1010	Heyes, James et al., <i>Cationic lipid saturation influences intracellular delivery of encapsulated nucleic acids</i> , 107 JOURNAL OF CONTROLLED RELEASE 276–87 (2005) (“Heyes”)
1011	U.S. Patent No. 5,753,613
1012	U.S. Patent No. 7,939,505
1013	U.S. Publication No. US2007/0042031
1014	U.S. Publication No. US2006/0008910
1015	Excerpts from ’069 Patent File History
1016	’435 Patent File History
1017	U.S. Patent No. 5,264,618
1018	<i>Curriculum Vitae</i> of Dr. Andrew S. Janoff
1019	Deposition Transcript of David H. Thompson – Volume 1 (February 4, 2019)
1020	Deposition Transcript of David H. Thompson – Volume 2 (February 5, 2019)
1021	Reply Declaration of Dr. Andrew S. Janoff
1022	Janoff Declaration for Opposition to Motion to Amend
1023	Patent Owner Response in IPR2018-00739
1024	Kauffman, et al. <i>Optimization of Lipid Nanoparticle Formulations for mRNA Delivery in Vivo with Fractional Factorial and Definitive Screening Designs</i> , Nano Letters (2015) (“Kauffman”)

IPR2018-00739
Patent No. 9,364,435

Exhibit No.	References
1025	Decision on Appeal, Appeal No. 2016-008388 (P.T.A.B. July 18, 2018)
1026	Telephonic Hearing Transcript from April 30, 2019

Dated: May 1, 2019

Respectfully submitted,

/Michael R. Fleming/

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CERTIFICATE OF SERVICE

I hereby certify, pursuant to 37 C.F.R. section 42.6, that on May 1, 2019, a complete copy of the **NOTICE OF FILING TRANSCRIPT OF APRIL 30, 2019 TELEPHONIC HEARING AND PETITIONER'S UPDATED EXHIBIT LIST AND EXHIBIT 1026** were served via electronic mail upon the following:

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