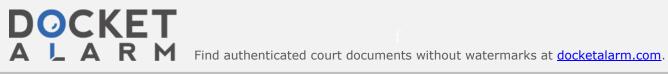
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 4
     MODERNA THERAPEUTICS, INC.,
                                    ) Case No. IPR2018-00680
 5
                                    ) Case No. IPR2018-00739
                 Petitioner,
                                    ) Patent No. 9,404,127
                                    ) Patent No. 9,364,435
 6
     v.
 7
     PROTIVA BIOTHERAPEUTICS,
     INC.,
 8
                 Patent Owner.
 9
                 DEPOSITION UPON ORAL EXAMINATION
10
11
                                 OF
12
                DAVID H. THOMPSON, PhD - VOLUME II
13
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15
               Taken at 701 Fifth Avenue, Suite 5100
16
                         Seattle, Washington
17
                  DATE TAKEN: February 5, 2019
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     REPORTED BY: KATHLEEN HAMILTON, RPR, CRR, CCR 1917
     JOB NO: 154633
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25			



- DAVID H. THOMPSON, PhD
- 2 SEATTLE, WASHINGTON; FEBRUARY 5, 2019
- 3 8:54?a.m.
- 4 -000-

5

- 6 EXAMINATION
- 7 BY MR. WELLS:
- 8 Q. You understand that you're still under oath that
- 9 you gave yesterday to tell the truth and the whole
- 10 truth?
- 11 A. Yes.
- 12 Q. And during the breaks yesterday or yesterday
- 13 evening, did you discuss your deposition testimony here
- 14 today with anybody?
- 15 A. No.
- Q. With regard to the `435 patent, do you
- 17 understand that one of the grounds involves the 054
- 18 reference? Do you recall that?
- 19 MR. ROSATO: Objection. Form.
- THE WITNESS: 054?
- 21 BY MR. WELLS:
- Q. Oh, actually I should have said `554. I
- 23 apologize. That was my error. Let's try that again.
- 24 A. Yeah.
- Q. With regard to the `435 patent, do you recall



- DAVID H. THOMPSON, PhD
- 2 one of the references cited was the `554 patent?
- 3 A. Correct. Yes, I recall.
- 4 Q. Okay. And I'll give you a copy of the `554
- 5 patent should you need it. It was previously marked as
- 6 Exhibit 1004 to the `435 IPR.
- 7 (Exhibit 10 marked.)
- 8 BY MR. WELLS:
- 9 Q. Now, the `554 publication has a formulation
- 10 called the LO54 formulation. Do you recall that?
- 11 A. Yes, I do recall.
- 12 Q. And the cationic lipid used in the LO54 lipid
- 13 mixture is a DMOBA, do you recall that?
- 14 A. I recall the structure. I don't... The acronym
- 15 I would have to look back and refamiliarize myself, but
- 16 it's a -- an aerial ether dimethylamino -- benzyl
- 17 dimethylamino lipid.
- 18 Q. And if you look at paragraph 122 of your `435
- 19 declaration, that has a discussion where you identify
- 20 DMOBA as the acronym.
- 21 A. Paragraph...?
- 22 0. 122.
- 23 A. 122. Yes; okay I see it.
- 24 O. And do you know whether DMOBA is an ionizable
- 25 cationic lipid?



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