

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MODERNA THERAPEUTICS, INC.,  
Petitioner,

v.

PROTIVA BIOTHERAPEUTICS, INC.,  
Patent Owner.

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Case IPR2018-00680 (Patent 9,404,127)  
Case IPR2018-00739 (Patent 9,364,435)<sup>1</sup>

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**PROTIVA'S NOTICE OF DEPOSITION  
OF ANDREW S. JANOFF, PH.D.**

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<sup>1</sup> Word-for-word identical papers are filed in each proceeding identified in the caption

Pursuant to 37 C.F.R. § 42.53, Protiva, by and through its attorneys, will conduct examination by deposition of Andrew S. Janoff, Ph.D. Dr. Janoff's deposition will take place commencing at 9:00AM (local time) on December 4-5, 2018 in Princeton, NJ at a precise location to be determined. The deposition will be taken before a Notary Public or other officer authorized by law to administer oaths and will be recorded by stenographic means. The arrangement for the reporter will be made by counsel for Protiva.

Respectfully submitted,

Date: November 1, 2018

/ Michael T. Rosato /  
Michael T. Rosato, Lead Counsel  
Reg. No. 52,182

## CERTIFICATE OF SERVICE

I certify that the foregoing Protiva's Notice of Deposition of Andrew S. Janoff, Ph.D. was served on November 1, 2018, on the Petitioner at the electronic service addresses of the Petitioner as follows:

Michael Fleming  
C. Maclain Wells  
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Respectfully submitted,

Date: November 1, 2018

/ Michael T. Rosato /  
Michael T. Rosato, Lead Counsel  
Reg. No. 52,182