

DECLARATION OF DR. R. RANDALL WICKETT
REGARDING U.S. PATENT NO. 6,645,513

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

**PETITION FOR INTER PARTES REVIEW
OF U.S. PATENT NO. 6,645,513**

DECLARATION OF R. RANDALL WICKETT, PH.D.

TABLE OF CONTENTS

I. BACKGROUND AND QUALIFICATIONS4

II. PRIOR TESTIMONY7

III. COMPENSATION AND RELATIONSHIP TO THE PARTIES.....8

IV. MATERIALS CONSIDERED8

A. Relevant Law:10

a. Anticipation.....10

b. Obviousness.....11

B. Person of Ordinary Skill in the Art13

C. Claim Construction13

 i. “wherein the adenosine concentration applied to the dermal cells is 10^{-3} M to 10^{-7} M”14

I. CLAIMS 1, 3–7, AND 9 OF THE ‘513 PATENT ARE NOT NOVEL IN VIEW OF JP ‘15319

Claim 1.....19

Claim 3.....27

Claim 4.....27

Claim 5.....28

Claim 6.....28

Claim 7.....29

Claim 9.....29

DECLARATION OF DR. R. RANDALL WICKETT
REGARDING U.S. PATENT NO. 6,645,513

**II. CLAIMS 1, 3-7 AND 9 OF THE '513 PATENT WOULD HAVE BEEN
OBVIOUS OVER JP '153 AND DE '10732**

Claim 1.....32

Claim 3.....39

Claim 4.....40

Claims 5 and 6.....40

Claim 7.....41

Claim 9.....42

DECLARATION OF DR. R. RANDALL WICKETT
REGARDING U.S. PATENT NO. 6,645,513

I, R. Randall Wickett, Ph.D., declare as follows:

I, R. Randall Wickett, Ph.D., declare as follows:

1. The opinions set forth below are based on my over 40 years of experience as an expert in formulating and testing skin care products, including topical cosmetic compositions, and on the review of materials discussed herein.

I. BACKGROUND AND QUALIFICATIONS

2. My *curriculum vitae* (“CV”) (a copy of which is attached) highlights my education, experience, and qualifications as an expert in formulating and testing skin care products, including topical products. Some of the information relevant to this case is summarized below.

3. I received my Bachelor of Arts in Chemistry in 1968 from Western Washington State College. I received a Ph.D. in Biophysics from the Department of Biochemistry and Biophysics at Oregon State University in 1973. I was a postdoctoral fellow at the University of Minnesota, Minneapolis in the Department of Chemistry from 1972-1974, where I studied protein conformational dynamics.

4. I worked in the Cosmetics and Personal Care industry from 1974 to 1991, first at Procter and Gamble in Cincinnati, Ohio from 1974 to 1985 and then

DECLARATION OF DR. R. RANDALL WICKETT
REGARDING U.S. PATENT NO. 6,645,513

at S.C. Johnson Wax in Racine, Wisconsin until 1991. I performed research on skin and hair care products at both of these companies.

5. Since 1991, I have had an extensive consulting practice in which I have performed consulting and training for cosmetic and pharmaceutical companies, including Procter and Gamble, DuPont, Estee Lauder, 3M, Unilever, Clairol, Pfizer, Wyeth Consumer Products, Hill Top Research, Bioscreen and many others.

6. I am currently Emeritus Professor of Pharmaceutics and Cosmetic Science, University of Cincinnati, College of Pharmacy. I joined the University of Cincinnati, College of Pharmacy as Associate Professor of Pharmaceutics and Cosmetic Science in 1991 and was promoted to Professor of Pharmaceutics and Cosmetic Science in 1998. In that capacity I teach graduate classes on cosmetic science including, among other topics, skin care science. The Cosmetic Science Program at the University of Cincinnati is one of the few graduate programs in the United States offering a M.S. or Ph.D. degree in pharmaceutical sciences with emphasis in cosmetic science.

7. I have given more than 100 invited lectures and taught classes and workshops in the United States and abroad, including in Thailand, Taiwan, Israel, South Africa, Brazil, Argentina, Guatemala, Chile, Scotland, Estonia, South Korea,

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.