

UNITED STATES PATENT AND TRADEMARK OFFICE

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

RIMFROST AS

Petitioner

v.

AKER BIOMARINE ANTARCTIC AS

Patent Owner

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Case: IPR2017-00745

U.S. Patent No. 9,078,905 B2

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**REPLY DECLARATION OF DR STEPHEN J. TALLON**

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**REPLY DECLARATION OF STEPHEN J. TALLON**Basis for Opinion

1. I have reviewed the Declaration of Dr. Nils Hoem, Exhibit 2001 (“Hoem Dec.”), and the Patent Owner’s Response, Paper 14 (“POR”), and disagree with their conclusions overall and as described in detail in the discussion below.

Furthermore, after reviewing the Hoem Dec. Exhibit 2001 and POR Paper 14, I hereby reaffirm my opinion from my earlier Declaration, Exhibit 1006, that all claims of the ‘905 Patent would have been obvious to a POSITA in view of the prior art cited.

2. In forming my opinion herein, I have relied on my own education, work experiences and knowledge, my review of the documents referenced in the Declaration of Stephen J. Tallon in IPR2017-00745 (Exhibit 1006), and, in addition to the Hoem Dec. Exhibit 2001 and POR Paper 14, my review of the following documents:

a. Yamaguchi, K. et al. “*Supercritical Carbon Dioxide Extraction of Oils from Antarctic Krill*”, J. Agric. Food Chem. 1986, 34, 904-907 (Exhibit 2002).

b. Prescott, S. et al. “*Platelet-Activating Factor and Related Lipid Mediators*”, Annu. Rev. Biochem. 2000. 69:419-445 (Exhibit 2003).

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