

1 UNITED STATES PATENT AND TRADEMARK OFFICE

2 BEFORE THE PATENT TRIAL AND APPEAL BOARD

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3 MODERNA THERAPEUTICS, INC.,

4 Petitioner,

v.

5

6 PROTIVA BIOTHERAPEUTICS, INC.,

7

Patent Owner.

8

Case IPR2018-00680 (Patent 9,404,127)

9

Case IPR2018-00739 (Patent 9,364,435)

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11 Deposition of ANDREW S. JANOFF, PH.D., as
12 reported by Nancy Mahoney, Certified Court Reporter,
13 RPR and Notary Public of the States of New York and
14 New Jersey, at the Westin Princeton at Forrestal
15 Village on Tuesday, December 4, 2018 commencing at
16 9:08 a.m.

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1 A P P E A R A N C E S :

2 ON BEHALF OF PETITIONER:

IRELL & MANELLA LLP

3 1800 Avenue of the Stars

Los Angeles, California 90067-4276

4 BY: C. MACLAIN WELLS, ESQUIRE

mwells@irell.com

5 MICHAEL R. FLEMING, ESQUIRE

m Fleming@irell.com

6

ON BEHALF OF PATENT OWNER

7 WILSON SONSINI GOODRICH & ROSATI

701 Fifth Avenue

8 Seattle, Washington 98104-7036

9 BY: MICHAEL T. ROSATO, ESQUIRE

mrosato@wsgr.com

10 SONJA R. GERRARD, ESQUIRE

srosato@wsgr.com

11

12

13

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15

ALSO PRESENT:

16

Constantine Linnik

17 General Counsel & Compliance Officer

Genevant

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1 I N D E X

2	WITNESS	PAGE
3	ANDREW S. JANOFF, PH.D.	
4	Examination by Mr. Rosato	5
5	Examination by Mr. Wells	199

6 E X H I B I T S

7	DESCRIPTION	PAGE
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9	(Exhibit 1007 Declaration of Andrew S.	23
10	Janoff, Ph.D. in Support of Moderna	
11	Therapeutics, Inc.'s Petition for Inter	
12	Partes Review of U.S. Patent No.	
13	9,404,127	
14	(Exhibit 1007 Declaration of Andrew S.	23
15	Janoff, Ph.D. in Support of Moderna	
16	Therapeutics, Inc.'s Petition for Inter	
17	Partes Review of U.S. Patent No.	
18	9,364,435	
19	Exhibit 1001 U.S. Patent No. 9,404,127	50
20	(Exhibit 1018 Curriculum Vitae of Andrew	51
21	S. Janoff, Ph.D.	

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E X H I B I T S C O N T I N U E D

DESCRIPTION	PAGE
Exhibit 2007 U.S. Patent No. 7,491,409	130
(Exhibit 2020 Combined Declaration for Patent Application and Power of Attorney	133
Exhibit 1002 U.S. Patent No. 8,058,069	153
Exhibit 1001 U.S. Patent No. 9,364,435	192

08:58:03

1 ANDREW S. JANOFF, PH.D., 08:58:10
2 having been first duly sworn by the Notary Public
3 (Nancy Mahoney), was examined and testified as
4 follows:

5 EXAMINATION BY MR. ROSATO:

6 Q. Good morning, Dr. Janoff. 09:09:13

7 A. Good morning. 09:09:14

8 Q. Would you please state your full name 09:09:15
9 for the record. 09:09:19

10 A. Andrew S. Janoff. 09:09:19

11 Q. And thank you again for being here 09:09:21

12 this morning. I'm sure you're familiar with how 09:09:23

13 things work in depositions, but we'll quickly go 09:09:26

14 through couple procedural aspects. Do you 09:09:29

15 understand that you're providing your testimony 09:09:35

16 under oath today and that you're expected to tell 09:09:36

17 the truth? 09:09:38

18 A. I do. 09:09:39

19 Q. Is there any reason you cannot 09:09:40

20 provide complete and accurate testimony today? 09:09:43

21 A. No. 09:09:45

22 Q. And hopefully my questions are clear. 09:09:46

23 If they're not, please ask me for clarification 09:09:48

24 rather than the gentlemen sitting here. Under the 09:09:52

25 rules of this proceeding, you should ask me and 09:09:55

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