UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PROLLENIUM US INC.,
Petitioner,

v.

ALLERGAN INDUSTRIE, SAS,
Patent Owner.

IPR2019-01505, Patent 8,450,475 B2
IPR2019-01506, Patent 8,357,795 B2
IPR2019-01508, Patent 9,238,013 B2
IPR2019-01509, Patent 9,358,322 B2
IPR2019-01617, Patent 8,822,676 B2
IPR2019-01632, Patent 8,357,795 B2
IPR2020-00084, Patent 9,089,519 B2

DECLARATION OF LAURA HEIDT UNDER 37 C.F.R. § 1.681[1]

[1] Authorization for the use of a joint caption page was received on April 27, 2020. Neither party opposes the use of a joint caption page. An identical paper has been filed in each case recited in the consolidated caption.

I, Laura Heidt, do hereby declare:

1. I am making this declaration at the request of Prollenium US, Inc., ("Prollenium" in the matter of the *Inter Partes* Review ("IPR") of U.S. Patent Nos. 8,450,475 ("the '475 patent"), 8,357,795 ("the '795 patent"), 9,238,013 ("the '013 patent"), 9,358,322 ("the '322 patent"), 8,822,676 ("the '676 patent"), and 9,089,519 ("the '519 patent"). Unless otherwise stated, the facts stated in this declaration are based on my personal knowledge.

2. I am a paralegal at Meunier, Carlin and Curfman ("MCC"). I have personal knowledge of the matters set forth below. This declaration addresses the authenticity and admissibility of exhibits submitted in support of Prollenium's prosecution of *Inter Partes* Review in the above referenced matters. Each exhibit is submitted in the proceedings identified in the caption.

3. The document submitted herewith as Exhibit 1101 is a true and correct copy of the thesis of Dale P. DeVore titled "Oxygen Uptake in Post-Rigor Bovine Semi-Membranosus Muscle," submitted to The Graduate School of Rutgers University for the Degree of Doctor of Philosophy in June of 1973. It was received upon MCC's request from Wisconsin TechSearch (https://wts.wisc.edu/), a research service that is part of the UW-Madison library, which obtained the thesis via interlibrary loan from Rutgers University.

4. The document submitted herewith as Exhibit 1103 is a true and correct copy of "Meeting of the General and Plastic Surgery Devices Panel, FDA Advisory Committee Briefing Document," for Allergan's PMA application for Juvéderm VOLUMA™ XC, PMA P110033, dated May 2, 2013, available at: https://wayback.archive-it.org/7993/20170113134502/http://www.fda.gov/downloads/AdvisoryCommittees/CommitteesMeetingMaterials/MedicalDevices/MedicalDevicesAdvisoryCommittee/GeneralandPlasticSurgeryDevicesPanel/UCM349428.pdf, as linked from the 2013 Meeting Materials of the General and Plastic Surgery Advisory Panel webpage, available at: https://wayback.archive-it.org/7993/20170405193132/https:/www.fda.gov/AdvisoryCommittees/CommitteesMeetingMaterials/MedicalDevices/MedicalDevicesAdvisoryCommittee/GeneralandPlasticSurgeryDevicesPanel/ucm349426.htm.

5. The document submitted herewith as Exhibit 1104 is a true and correct copy of redacted emails produced by Allergan in the litigation matter in the District of Delaware, Case No. 1:19-cv-00126-CFC-SRF, as bates numbers: AGN-RVP-0458230 to 0458232, AGN-RVP-0367989 to 0367991, AGN-RVP-0357368 to 0357371, and AGN-RVP-0464609. The emails were redacted by agreement between counsel and filed in the above-referenced case.

6. The document submitted herewith as Exhibit 1108 is a true and correct copy of portions of:

a. April 15, 2015 submission by Anteis SA (via its counsel) in reply to oppositions filed by Allergan, Inc. and Laboratories Vivacy related European Patent EP 2 349 203;

b. February 12, 2015 submission by Allergan, Inc. (via its counsel) in preparation for oral proceedings on its opposition related European Patent EP 2 349 203;

c. November 28, 2016 submission by Allergan, Inc. (via its counsel) of its letter and statement of grounds of appeal related European Patent EP 2 349 203; and

d. August 31, 2018 submission by Allergan, Inc. (via its counsel) in reply to Patentee's brief in reply to grounds of appeal related European Patent EP 2 349 203.

The included portions are the "Reply of the patent proprietor to the notice(s) of opposition," "Written Submission in preparation to/during oral proceedings," "Letter accompanying subsequently filed items," "Statement of grounds of appeal," "Letter relating to Appeal Procedure," "Letter accompanying

subsequently filed items," and "Electronic Receipt." The original documents that comprise Exhibit 1108 are available from the EPO at:

- https://register.epo.org/application?documentId=EXE9WDRF6287754&number=EP09768146&lng=en&npl=false;
- https://register.epo.org/application?documentId=EYMVCUZ68046235&number=EP09768146&lng=en&npl=false;
- https://register.epo.org/application?documentId=EZR0KZ3L7539235&number=EP09768146&lng=en&npl=false;
- https://register.epo.org/application?documentId=EZR0KZ3J4304235&number=EP09768146&lng=en&npl=false;
- https://register.epo.org/application?documentId=E2BBYKE51811DSU&number=EP09768146&lng=en&npl=false;
- https://register.epo.org/application?documentId=E2BBYJ0I6434DSU&number=EP09768146&lng=en&npl=false; and
- https://register.epo.org/application?documentId=E2BBYKI09279DSU&number=EP09768146&lng=en&npl=false

7. The document submitted herewith as Exhibit 1109 is a true and correct copy of portions of a June 4, 2018 submission by Allergan Industrie, SAS (via its counsel) in connection with an opposition to Allergan's related European

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