

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ILLUMINA, INC.,
Petitioner,

v.

THE TRUSTEES OF COLUMBIA UNIVERSITY
IN THE CITY OF NEW YORK
Patent Owner.

Case IPR2020-00988 (U.S. Patent 10,407,458)
Case IPR2020-01065 (U.S. Patent 10,407,459)
Case IPR2020-01177 (U.S. Patent 10,435,742)
Case IPR2020-01125 (U.S. Patent 10,457,984)
Case IPR2020-01323 (U.S. Patent 10,428,380)

DECLARATION OF KENNETH A. JOHNSON, PH.D.

Columbia Ex. 2071
Illumina, Inc. v. The Trustees of
Columbia University in the City of
New York
IPR2020-00988, -01065, -01177,
01125, 01323

Table of Contents

I.	Introduction and Qualifications	1
II.	Materials Considered	5
III.	The Person of Ordinary Skill in the Art	5
IV.	Illumina’s Challenges Fail	6
V.	There Was No Expectation Of Success In Achieving The Claimed Invention	9
A.	Polymerase incorporation of 3'-O-capped nucleotides was expected to be rare and unpredictable	11
B.	Hovinen and Kwiatkowski provided no expectation of incorporation for the MOM embodiment	18
C.	There was no expectation of incorporation for the claimed adenine nucleotides	26
VI.	There Was No Motivation To Arrive At The Claimed Invention	28
A.	There was no interest in the MOM capping group for SBS	28
B.	Illumina’s Hiatt theory fails	30
1.	Hiatt’s technology is different than SBS	30
a.	SBS requires template-dependent polymerases	32
b.	SBS requires high-fidelity polymerases	35
2.	There was no reason to select the MOM capping group from Hiatt’s laundry list	40
a.	No reason to narrow Hiatt’s capping groups to alkyl ethers	40
b.	No reason to narrow Hiatt’s capping groups to small capping groups	42

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c. No other reason to narrow Hiatt’s capping groups50

3. Hiatt’s data supporting incorporation of capped nucleotides are highly suspect59

C. A POSA would not have been motivated to use the MOM capping group because there was no expectation that it would be efficient enough to sequence twenty base pairs61

I. INTRODUCTION AND QUALIFICATIONS

1. I have been retained on behalf of The Trustees of Columbia University in the City of New York (“Columbia”) in connection with the challenges by Illumina, Inc. (“Illumina”) to the claims of Columbia’s U.S. Patent Nos. 10,407,458; 10,407,459; 10,435,742; 10,457,984; and 10,428,380 (the “patents-at-issue”).

2. I am being compensated for my time consulting in this matter at the rate of \$700 per hour. I have no financial interest in the outcome of this proceeding and my compensation is in no way contingent upon my opinions or the outcome of this proceeding.

3. I am the Roger Williams Centennial Professor of Biochemistry at the University of Texas at Austin and the President and founder of KinTek Corporation, a company noted internationally for its manufacture of instruments and software that I designed for advanced kinetic analysis.

4. I earned a Bachelor of Science in Chemistry with Honors and Highest Distinction from the University of Iowa in 1971. I earned a Ph.D. in Molecular Biology from the University of Wisconsin in 1975 for work done with Professor Gary Borisy.

5. From 1975 to 1979 I was a postdoctoral scholar working with Dr. Edwin W. Taylor at the University of Chicago Department of Biophysics and

Theoretical Biology. During this time I was supported by fellowships from the National Institutes of Health and the Muscular Dystrophy Association.

6. Starting as an Assistant Professor in the Department of Biochemistry and Biophysics at The Pennsylvania State University in March 1979, I advanced to the rank of Paul Berg Professor of Biochemistry before leaving in August 1998.

7. Since August of 1998, I have been the Roger Williams Centennial Professor of Biochemistry at The University of Texas at Austin initially in the Department of Chemistry and Biochemistry—the Biochemistry division was subsequently reorganized into the Department of Molecular Biosciences.

8. In 1987 I founded KinTek Corporation to manufacture and market instruments that I designed to perform single turnover and transient-state kinetic analysis. I also designed and worked closely with computer programmers to develop a novel approach for modeling and fitting kinetic data that is now adopted worldwide.

9. As a Principal Investigator, I have authored more than 195 original publications and review articles in peer-reviewed journals including Science, Nature, The Proceedings of the National Academy of Sciences, Journal of Biological Chemistry, Biochemistry, Journal of Molecular Biology, Journal of Cell Biology, Antimicrobial Agents and Chemotherapy, Nucleic Acids Research, Journal of

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