

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NEW WORLD MEDICAL, INC.,
Petitioner

v.

MICROSURGICAL TECH., INC.,
Patent Owner

INTER PARTES REVIEW OF U.S. PATENT NO. 9,107,729
Case No. IPR2020-01573

EX. 1003 - DECLARATION OF DR. PETER NETLAND

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I. INTRODUCTION

1. My name is Dr. Peter Netland, MD, PhD, and I have been retained by counsel for New World Medical, Inc. (“New World Medical”) as an expert witness in the above-captioned proceeding.

2. My opinions are based on my years of education, research, and experience, as well as my investigation and study of relevant materials. The materials that I studied for this declaration include all the documents referenced in this declaration and the exhibits to New World Medical’s Petition for *Inter Partes* Review of U.S. Patent No. 9,107,729 (“the ‘729 patent”) (Ex.1001).

3. I may rely upon these materials, my knowledge and experience, and/or additional materials to rebut arguments raised by the Patent Owner MicroSurgical Technologies, Inc. (“MST”). Further, I may also consider additional documents and information in forming any necessary opinions, including documents that may not yet have been provided to me.

4. This declaration represents only those opinions I have formed to date. I reserve the right to revise, supplement, and/or amend my opinions stated herein based on new information and on my continuing analysis of the materials produced in this proceeding.

5. I am being compensated on a per hour basis for my time spent working on issues in this case at the rate of \$500 per hour. My compensation does not depend on the outcome of this matter or the opinions I express.

II. QUALIFICATIONS

6. I am an expert in the field of ophthalmology. I have studied, taught, practiced, and researched in the field of ophthalmology for over twenty years. I have summarized in this section my educational background, work experience, and other relevant qualifications. A true and accurate copy of my curriculum vitae is attached as **Appendix A** to this declaration.

7. I earned my Bachelor of Arts from Princeton University in Princeton, New Jersey in 1979. I earned my Doctor of Philosophy (“PhD”) in Physiology and Biophysics from Harvard University Division of Medical Sciences in Boston, Massachusetts in 1985. In 1987, I earned my Medicinae Doctor (“MD”) from the University of California School of Medicine in San Francisco, California (“UCSF”). Following a surgical internship at the UCSF, I completed my residency in ophthalmology in 1991 at the Massachusetts Eye and Ear Infirmary, which is a teaching hospital of Harvard Medical School in Boston, Massachusetts. I also completed a clinical fellowship in glaucoma at the Massachusetts Eye and Ear Infirmary.

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