

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MYLAN PHARMACEUTICALS INC., CELLTRION, INC., and  
APOTEX, INC.  
Petitioners

v.

REGENERON PHARMACEUTICALS, INC.,  
Patent Owner

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*Inter Partes* Review No.: IPR2021-00881<sup>1</sup>  
U.S. Patent No. 9,254,338 B2

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**EXPERT DECLARATION OF DR. THOMAS A. ALBINI  
IN SUPPORT OF PETITIONER REPLY**

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<sup>1</sup> IPR2022-00258 and IPR2022-00298 have been joined with this proceeding.

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1. My name is Dr. Thomas A. Albini and I have been retained by counsel for Mylan Pharmaceuticals, Inc. (“Mylan” or “Petitioner”), to provide my opinions in support of Petitioners Reply. I am the same Dr. Albini who wrote declarations in support of Mylan’s Petition for *Inter Partes* Review of U.S. Patent Nos. 9,669,069 B2 (“the ’069 patent”) and 9,254,338 B2 (“the ’338 patent”), instituted as IPR2021-00880 and IPR2021-00881, respectively. I also have been asked to reply to the opinions and views of Patent Owner’s (“PO”) declarants, Diana V. Do, M.D., David M. Brown, M.D., and Lucian V. Del Priore, M.D., Ph.D.

## **I. QUALIFICATIONS AND BACKGROUND.**

### **A. EDUCATION AND EXPERIENCE.**

2. My qualifications, education, and experience are set forth in my previous report, Exhibit 1002, and my *curriculum vitae* is attached as Exhibit 1038.

### **B. BASES FOR OPINIONS AND MATERIALS CONSIDERED.**

3. In addition to my education, knowledge of the relevant published art, training, and experience, in forming the opinions I provide in this declaration, I have also considered the exhibits cited herein.

### **C. SCOPE OF WORK.**

4. I have been retained by Petitioner as an expert in this matter to provide various opinions regarding the ’338 patent. I receive \$500 per hour for my services.

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