UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SLAYBACK PHARMA LLC,

Petitioner,

v.

EYE THERAPIES, LLC,

Patent Owner.

Case IPR2022-00142
U.S. Patent No. 8,293,742

DECLARATION OF ROBERT J. NOECKER, MD, MBA

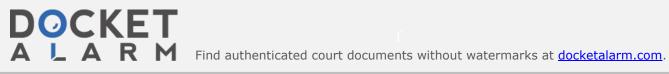


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#### I. Introduction

- 1. I, Robert J. Noecker, submit this declaration to state my opinion on the matters described below.
- 2. I have been retained by Eye Therapies, LLC, as an independent expert in this proceeding before the United States Patent and Trademark Office.
- 3. I understand that this proceeding involves U.S. Patent No. 8,293,742 ("the '742 patent"), and that I have been asked to provide my opinions of whether the subject matter of the claims of the '742 patent is patentable.
- 4. This declaration sets forth my opinions from the perspective of a person ordinarily skilled person in the art, which I have formed in this proceeding based on my education, training, clinical research, knowledge, personal and professional experience, my understanding as an expert in the field, and my study of the evidence.
- 5. I am being compensated for my time at the rate of \$750 per hour. This compensation is not contingent upon the nature of my findings, the presentation of my findings in testimony, or the outcome of this proceeding.

### II. Qualifications and Professional Experience

- 6. My curriculum vitae is submitted with this declaration as Appendix A. I have summarized my educational and professional background below.
- 7. I received a Bachelor of Science in Biology from the Massachusetts
  Institute of Technology in 1985. I also received a Bachelor of Science in Materials



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