

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MILTENYI BIOMEDICINE GmbH and MILTENYI BIOTEC INC.
Petitioner

v.

THE TRUSTEES OF THE UNIVERSITY OF PENNSYLVANIA
Patent Owner

IPR Trial No. IPR2022-00855
U.S. Patent No. 9,540,445

**JOINT MOTION TO TERMINATE PROCEEDING
PURSUANT TO 35 U.S.C. § 327(a) AND 37 C.F.R. § 42.74**

PATENT OWNER'S EXHIBIT LIST

Ex.	Reference
2001	Jason Fagone, <i>Has Carl June Found a Key to Fighting Cancer?</i> , PHILA. MAG. (Aug. 1, 2013).
2002	Denise Grady, <i>An Immune System Trained to Kill Cancer</i> , N.Y. TIMES (Sept. 12, 2011), https://www.nytimes.com/2011/09/13/health/13gene.html .
2003	Jasone Fagone, <i>Walt Keller, Leukemia Survivor, Has Passed</i> , PHILA. MAG. (Feb. 20, 2014), https://www.phillymag.com/news/2014/02/20/walt-keller-leukemia-survivor-obituary-1953-2014/ .
2004	Gina Kolata, <i>A Cancer Treatment Makes Leukemia Vanish, but Creates More Mysteries</i> , N.Y. TIMES (Feb. 2, 2022), https://www.nytimes.com/2022/02/02/health/leukemia-car-t-immunotherapy.html .
2005	Denise Grady, <i>In Girl's Last Hope, Altered Immune Cells Beat Leukemia</i> , N.Y. TIMES (Dec. 9, 2012), https://www.nytimes.com/2012/12/10/health/a-breakthrough-against-leukemia-using-altered-t-cells.html .
2006	Denise Grady, <i>F.D.A. Approves First Gene-Altering Leukemia Treatment, Costing \$475,000</i> , N.Y. TIMES (Aug. 30, 2017), https://www.nytimes.com/2017/08/30/health/gene-therapy-cancer.html .
2007	FOOD AND DRUG ADMIN., FDA APPROVAL BRINGS FIRST GENE THERAPY TO THE UNITED STATES (Aug. 30, 2017), https://www.fda.gov/news-events/press-announcements/fda-approval-brings-first-gene-therapy-united-states .
2008	FOOD AND DRUG ADMIN., BREAKTHROUGH THERAPY (Jan. 4, 2018), https://www.fda.gov/patients/fast-track-breakthrough-therapy-accelerated-approval-priority-review/breakthrough-therapy .
2009	FOOD AND DRUG ADMIN., PRIORITY REVIEW (Jan. 4, 2018), https://www.fda.gov/patients/fast-track-breakthrough-therapy-accelerated-approval-priority-review/priority-review .
2010	Barbara Savoldo et al., <i>CD28 costimulation improves expansion and persistence of chimeric antigen receptor-modified T cells in lymphoma patients</i> , 121 J. CLINICAL INVESTIGATION 1822 (2011).
2011	Brian G. Till et al., <i>Adoptive immunotherapy for indolent non-Hodgkin lymphoma and mantle cell lymphoma using genetically modified autologous CD20-specific T cells</i> , 112 BLOOD 2261 (2008).

2012	Renier J. Brentjens et al., <i>Safety and persistence of adoptively transferred autologous CD19-targeted T cells in patients with relapsed or chemotherapy refractory B-cell leukemias</i> , 118 BLOOD 4817 (2011).
2013	Renier Brentjens et al., <i>Treatment of chronic lymphocytic leukemia with genetically targeted autologous T cells: case report of an unforeseen adverse event in a phase I clinical trial</i> , 18 MOLECULAR THERAPY 666 (2010).
2014	Renier J. Brentjens et al., <i>A Phase I Trial for the Treatment of Chemo refractory Chronic Lymphocytic Leukemia with CD19-Targeted Autologous T Cells</i> , 16 MOLECULAR THERAPY S15 (2008).
2015	Jennifer Couzin-Frankel, <i>The dizzying journey to a new cancer arsenal</i> , 340 SCI. 1514 (2013).
2016	Jennifer Couzin-Frankel, <i>Breakthrough of the Year 2013: Cancer Immunotherapy</i> , 342 SCI. 1432 (2013).
2017	David L. Porter et al., <i>Chimeric Antigen Receptor Modified T Cells Directed Against CD 19 (CTL01 9 cells) Have Long-Term Persistence And Induce Durable Responses In Relapsed, Refractory CLL</i> , 122 BLOOD 4162 (2013).
2018	David L. Porter et al., <i>Randomized, Phase II Dose Optimization Study Of Chimeric Antigen Receptor Modified T Cells Directed Against CD 19 (CTL019) In Patients With Relapsed Refractory CLL</i> , 122 BLOOD 873 (2013).
2019	Stephan A. Grupp et al., <i>T Cells Engineered With A Chimeric Antigen Receptor (CAR) Targeting CD 19 (CTL01 9) Produce Significant In Vivo Proliferation, Complete Responses And Long-Term Persistence Without GVHD In Children And Adults With Relapsed, Refractory ALL</i> , 122 BLOOD 67 (2013).
2020	James N. Kochenderfer et al., <i>B-cell depletion and remissions of malignancy along with cytokine-associated toxicity in a clinical trial of anti-CD 19 chimeric-antigen-receptor transduced T cells</i> , 119 BLOOD 2709 (2012).
2021	<i>Carl June Named One of Time's 100 Most Influential People in the World</i> , PENN MEDICINE (Apr. 26, 2018), https://pathology.med.upenn.edu/news/carl-june-named-one-times-100-most-influential-people-world .

2022	Holly Auer, <i>Penn Medicine Immunotherapy Pioneer Carl June, MD, Awarded 2015 Paul Ehrlich and Ludwig Darmstaedter Prize</i> , PENN TODAY (Mar. 11, 2015), https://penntoday.upenn.edu/news/penn-medicine-immunotherapy-pioneer-carl-june-md-awarded-2015-paul-ehrllich-and-ludwig-darmstaed .
2023	Andrew Pollock, <i>Setting the Body's 'Serial Killers' Loose on Cancer</i> , N.Y. TIMES (Aug. 1, 2016), https://www.nytimes.com/2016/08/02/health/cancer-cell-therapy-immune-system.html .
2024	<i>2015 Watanabe Award Winner Carl H. June</i> , IND. CLINICAL AND TRANSLATIONAL SCIS. INST., https://indianactsi.org/awards/watanabe-award-winners/2015-watanabe-award-winner-carl-h-june/ (last visited July 12, 2022).
2025	<i>Agilent Presents Thought Leader Award to Drs. Carl H. June and Michael Milone</i> , AGILENT TECHS. INC. (Nov. 17, 2020), https://www.agilent.com/about/newsroom/presrel/2020/17nov-ca20030.html .
2026	Information Disclosure Statement Initialed by Examiner (Apr. 18, 2016), U.S. Patent Application No. 14,997,136.
2027	Information Disclosure Statement Initialed by Examiner (Apr. 18, 2016), U.S. Patent Application No. 14,997,136.
2028	World Intell. Prop. Org. Patent Application No. WO 02/077029 A2.
2029	<i>Pilot Study for Patients with Chemotherapy Resistant or Refractory CD19 Leukemia and Lymphoma (CART-19)</i> , CLINICALTRIALS.GOV (April 29, 2009), [http://web.archive.org/web/20090903002304/http://clinicaltrials.gov/ct2/show/NCT00891215].
2030	Amendments to the Claims (Nov. 13, 2018), U.S. Patent Application No. 15,353,899.
2031	Steven A. Rosenberg et al., <i>Use of Tumor-Infiltrating Lymphocytes and Interleukin-2 in the Immunotherapy of Patients with Metastatic Melanoma</i> , 319 NEW ENG. J. MED. 1676 (1988).
2032	Michael C. Jensen et al., <i>Antitransgene Rejection Responses Contribute to Attenuated Persistence of Adoptively Transferred CD20/CD19-Specific Chimeric Antigen Receptor Redirected T Cells in Humans</i> , 16 BIOLOGY BLOOD AND MARROW TRANSPLANTATION 1245 (2010).

2033	Richard A. Morgan et al., <i>Case Report of a Serious Adverse Event Following the Administration of T Cells Transduced With a Chimeric Antigen Receptor Recognizing ERBB2</i> , 18 MOLECULAR THERAPY 843 (2010).
2034	David L. Porter et al., <i>A phase I trial of donor lymphocyte infusions expanded and activated ex vivo via CD3/CD28 costimulation</i> , 107 BLOOD 1325 (2006).
2035	Grazyna Lipowska-Bhalla, <i>Targeted immunotherapy of cancer with CAR T cells: achievements and challenges</i> , 61 CANCER IMMUNOLOGY, IMMUNOTHERAPY 953 (2012).
2036	<i>Latest paper from the father of CAR-T: CAR-T really completely cured cancer</i> , MEDICALTREND.ORG, https://medicaltrend.org/2022/02/03/latest-paper-from-the-father-of-car-t-car-t-really-completely-cured-cancer/ (last visited July 13, 2022).
2037	Bipulendu Jena et al., <i>Redirecting T-cell specificity by introducing a tumor-specific chimeric antigen receptor</i> , 116 BLOOD 1035 (2010).
2038	Michael H. Kershaw et al., <i>A Phase I Study on Adoptive Immunotherapy Using Gene-Modified T Cells for Ovarian Cancer</i> , 12 CLINICAL CANCER RSCH. 6106 (2006).
2039	Cor H.J. Lamers et al., <i>Treatment of Metastatic Renal Cell Carcinoma With Autologous T-Lymphocytes Genetically Retargeted Against Carbonic Anhydrase IX: First Clinical Experience</i> , 24 J. CLINICAL ONCOLOGY e20 (2006).
2040	<i>ASH honors Bruce R. Blazar, M.D., and Carl H. June, M.D., with 2012 Ernest Beutler Lecture and Prize</i> , SCIENCEEX (Aug. 27, 2012), https://scienceex.com/wire-news/107531358/ash-honors-bruce-r-blazar-md-and-carl-h-june-md-with-2012-ernest.html .
2041	Renier J. Brentjens et al., <i>Genetically Targeted T Cells Eradicate Systemic Acute Lymphoblastic Leukemia Xenografts</i> , 13 CLINICAL CANCER RSCH. 5426 (2007).
2042	U.S. Patent No. 7,402,431.
2043	<i>Cancer treatment myths: Any truth to these common beliefs?</i> , MAYO CLINIC (March 22, 2022), https://www.mayoclinic.org/diseases-conditions/cancer/in-depth/cancer/art-20046762 .
2044	Adam Bagg Aff., July 19, 2022.
2045	<i>SITC Smalley Award 2013 Recipient</i> , SOC'Y FOR IMMUNOTHERAPY OF CANCER, https://www.sitcancer.org/funding/named-funds-and-awards2/smalley/2013 (last visited July 19, 2022).

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