

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

APOTEX V. REGENERON  
IPR2022-01524

REGENERON EXHIBIT 2021  
PAGE 001

v.

REGENERON PHARMACEUTICALS, INC.

Patent Owner.

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Case IPR2021-00880<sup>1</sup>  
Patent 9,669,069 B2

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Case IPR2021-00881  
Patent 9,254,338 B2

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**EXPERT DECLARATION OF LUCIAN V. DEL PRIORE, M.D., PH.D.**

**CONFIDENTIAL SUBJECT TO PROTECTIVE ORDER**

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<sup>1</sup> IPR2022-00257, IPR2022-00258, IPR2022-00298, and IPR2022-00301 have been joined with this proceeding.

Mylan v. Regeneron IPR2021-00881 U.S. Pat. 9,254,338 Exhibit 2048
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I, Dr. Lucian V. Del Priore, declare as follows:

## **I. INTRODUCTION**

1. I have been retained by counsel for Regeneron Pharmaceuticals, Inc. (“Regeneron”) as a technical expert in connection with the above-captioned proceeding. I have been asked to provide my opinions and views on the materials I have reviewed in relation to the Petition for *Inter Partes* review of U.S. Patent No. 9,254,338 (the “’338 Patent”) (Ex. 1001),<sup>2</sup> U.S. Patent No. 9,669,069 (“the ’069 Patent”) (Ex. 1019) and, in particular, the state of the art as of the earliest filing date (“priority date”) of the ’338 and ’069 Patents and responses to the opinion and views of Petitioner’s declarant, Thomas A. Albini, M.D. I submit this declaration in support of Regeneron’s Patent Owner Responses (“PORs”).

2. I am being paid at my usual and customary rate for my work on this matter. I have no personal or financial stake in, or affiliation with, the petitioner, real-parties-in-interest, or the patent owner. My compensation is not dependent upon the outcome of, or my testimony in, the present proceeding.

## **II. QUALIFICATIONS AND EXPERIENCE**

3. My qualifications as an expert in the field of ophthalmology are established by my *curriculum vitae*, which is attached as Ex. 2081, and the

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<sup>2</sup> Unless otherwise noted all citations to exhibits refer to exhibits filed in IPR2021-00881.

experience and publications cited therein, which includes a list of all publications authored by me in the previous 10 years. I summarize my most pertinent qualifications below.

4. I am the Robert R. Young Professor of Ophthalmology and Visual Science at Yale University; Chair of the Department of Ophthalmology and Visual Science, Yale Eye Center; and Chief of Ophthalmology, Yale New Haven Hospital.

5. I received a B.S. in Physics from Cooper Union for the Advancement of Science and Art; a M.S. and Ph.D. in Physics from Cornell University; and a M.D. with Distinction in Research from The University of Rochester School of Medicine and Dentistry. I was also awarded an Honorary Master of Arts degree by Yale University in 2017.

6. After medical school, I completed my residency in ophthalmology, a glaucoma fellowship, and a vitreoretinal surgery fellowship at the Wilmer Eye Institute of the John Hopkins Hospital.

7. I have more than thirty years of experience treating patients in the field of ophthalmology and, in particular in treating patients with diseases of the retina including age-related macular degeneration, diabetic macular edema, diabetic retinopathy, central retinal vein occlusion, branch retinal vein occlusion, and corneal neovascularization.

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