

IPR2023-00722
U.S. Patent 8,536,122

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC.,
Petitioner

v.

NOVO NORDISK A/S,
Patent Owner

Case IPR2023-00722
Patent 8,536,122

DECLARATION OF SAYEM OSMAN

I, Sayem Osman, make the following Declaration pursuant to 28 U.S.C. § 1746:

1. I am a paralegal at the law firm of Groombridge, Wu, Baughman & Stone LLP.

2. I provide this Declaration in connection with the above-identified Patent Owner's Preliminary Response to the *Inter Partes* Review proceeding that is being requested at the U.S. Patent and Trademark Office by Petitioners under 35 U.S.C. §§ 311-319, 37 C.F.R. § 42. Unless otherwise stated, the facts stated in this Declaration are based on my personal knowledge.

3. EX2001 hereto is a true and correct copy of an excerpt of Defendants' Initial Invalidation Contentions, *In re: Ozempic (Semaglutide) Patent Litigation*, No. 1:22-cv-01040-CFC, (D. Del. Oct. 20, 2022), which I retrieved on June 29, 2023, as an attachment to an email from Novo Nordisk A/S's counsel at Fenwick & West LLP. Other than excerpting the pages, striking through the confidentiality designation, and adding an exhibit label and page numbers to the bottom of all pages of EX2001, no other alterations have been made.

4. EX2002 hereto is a true and correct copy of Jesper Lau, et al.'s article titled "*Discovery of the Once-Weekly Glucagon-Like Peptide-1 (GLP-1) Analogue Semaglutide*," *Med. Chem.*, 58:7370-7380 (2015) which I purchased and retrieved on July 6, 2023, from <https://pubs.acs.org/doi/full/10.1021/acs.jmedchem.5b00726>.

An exhibit label and page numbers have been added to the bottom of all pages of EX2002 but no other alterations have been made.

5. EX2003 hereto is a true and correct copy of United States Patent No. 10,335,462 which I retrieved on June 21, 2023, from the United States Patent & Trademark Office's Patent Public Search Basic (PPUBS Basic) website (<https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/10335462>). An exhibit label and page numbers have been added to the bottom of all pages of EX2003 but no other alterations have been made.

6. EX2004 hereto is a true and correct copy of Brian Furman, et al.'s article titled "*Targeting B-cell cyclic adenosine monophosphate for the development of novel drugs for treating type 2 diabetes mellitus. A review,*" Pharmacy and Pharmacology, 56:1477-1492 (2004) which I retrieved on July 6, 2023, from <https://academic.oup.com/jpp/article/56/12/1477/6147469?login=false> and by clicking on the PDF link on that page. An exhibit label and page numbers have been added to the bottom of all pages of EX2004 but no other alterations have been made.

7. EX2005 hereto is a true and correct copy of WO1998032466 which I retrieved on June 21, 2023, from <https://patentscope.wipo.int/search/docs2/pct/WO1998032466/pdf/UivUql7AzttnPI8dZ9ZDH8KNtOdF9wWBem-Q0nFNg5w>. An exhibit label and page numbers

have been added to the bottom of all pages of EX2005 but no other alterations have been made.

8. EX2006 hereto is a true and correct copy of United States Patent No. 6,528,486 which I retrieved on June 27, 2023, from the United States Patent & Trademark Office's Patent Public Search Basic (PPUBS Basic) website (<https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/6528486>). An exhibit label and page numbers have been added to the bottom of all pages of EX2006 but no other alterations have been made.

9. EX2007 hereto is a true and correct copy of WO 00/69911 which I retrieved on June 30, 2023, from https://patentscope.wipo.int/search/docs2/pct/WO2000069911/pdf/M2qDwJvHFe79OJ2_LpcACdMXx87AmgNiCF-gIVsQTTQ. An exhibit label and page numbers have been added to the bottom of all pages of EX2007 but no other alterations have been made.

10. I have been warned that willful false statements and the like are punishable by fine or imprisonment, or both. I make this declaration of my own personal knowledge, and all statements are true. If called to testify as to the truth of the matters stated herein, I could and would testify competently.

11. I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 6th day of July, 2023, at Washington, D.C.

A handwritten signature in blue ink, appearing to read "Sayem Osman", is written over a horizontal line.

Sayem Osman