UNITED STATES PATENT AND TRADEMARK OFFICE

\_\_\_\_\_

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GRÜNENTHAL GMBH,

Petitioner

v.

ANTECIP BIOVENTURES II LLC,

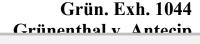
Patent Owner.

\_\_\_\_\_

PGR2019-00028 U.S. Patent No. 10,052,338

\_\_\_\_\_

DECLARATION OF CORINNE MILITELLO, ESQ.





I, Corinne Militello, hereby declare as follows:

- 1. I currently hold the position of Senior Corporate Counsel at Taylor & Francis Group at Informa PLC ("Taylor & Francis"). I make this declaration based on my own personal knowledge and experiences, and if called upon as a witness, could competently testify to the matters stated herein.
- 2. Taylor & Francis publishes more than 2,600 journals and over 5,000 new books each year, and is one of the world's leading academic publishing businesses. Through my work as Senior Corporate Counsel, I am aware of the Taylor & Francis procedures and general practices related to publication and public accessibility of journal articles.
- 3. I investigated the publication date of an article published by Taylor & Francis entitled Gatti et al., *Neridronic Acid for the Treatment of Bone Metabolic Diseases*, EXPERT OPINION ON DRUG METABOLISM AND TOXICOLOGY, 5(10):1305-1311 ("Gatti"). A true and correct copy of Gatti is attached here as Exhibit A. Based on my investigation and my personal knowledge, I can confirm that Gatti was available and accessible to the public by at least September 17, 2009.
  - 4. The first page of Gatti (attached here as Exhibit A) states that it was

pages of Gatti were received by Taylor & Francis from the typesetter. Exhibit B is a true and correct copy of a screenshot of the Taylor & Francis internal production system, showing that the final pages of the Gatti final manuscript were received from the typesetter on this date. It was general company practice at the time that final manuscripts be uploaded and made publicly accessible within 24 hours of receipt.

- 6. Thus, based upon my personal knowledge and my knowledge of company procedures and general practices, I can confirm that Gatti was publicly accessible by at least September 17, 2009.
- 7. I declare that all statements made herein on my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both,

under Section 1001 of Title 18 of the United States Code.

Dated: 18 Dec. 2019

Corinne Militello

Senior Corporate Counsel

Taylor & Francis Group at Informa PLC

# **EXHIBIT A**

Declaration of Corinne Militello



# DOCKET

# Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

# **Real-Time Litigation Alerts**



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

### **Advanced Docket Research**



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## **Analytics At Your Fingertips**



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

#### API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

#### **LAW FIRMS**

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

#### **FINANCIAL INSTITUTIONS**

Litigation and bankruptcy checks for companies and debtors.

### **E-DISCOVERY AND LEGAL VENDORS**

Sync your system to PACER to automate legal marketing.

