

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GRÜNENTHAL GMBH,

Petitioner

v.

ANTECIP BIOVENTURES II LLC,

Patent Owner.

U.S. Patent No. 9,931,352
U.S. Patent No. 10,039,774
U.S. Patent No. 10,052,338

DECLARATION OF LAWRENCE POREE, M.D., PH.D.

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I, Dr. Lawrence Poree, hereby declare as follows:

I. Introduction

1. I have been retained by Venable LLP on behalf of Grünenthal GmbH as an independent expert to provide my opinions on the subject matter recited in the claims of U.S. Patent No. 9,931,352 (Exhibit 1001, “the ’352 patent”), U.S. Patent No. 10,039,774 (Exhibit 1002, “the ’774 patent”), and U.S. Patent No. 10,052,338 (Exhibit 1003, “the ’338 patent”) in view of the state of the art at the time and various references that predate those patents, all of which I refer to in this declaration.

2. I understand that Grünenthal GmbH has petitioned the Patent Trial and Appeal Board (PTAB) to institute post-grant reviews (PGRs) of the ’352 patent, the ’774 patent, and the ’338 patent, and has requested that the PTAB cancel the claims of those patents due to obviousness, lack of written description, and/or indefiniteness.

3. I understand that this declaration is being filed as Exhibit 1004 in each of the respective PGRs against the ’352 patent, the ’774 patent, and the ’358 patent. In this declaration, I refer to these three patents collectively as the “Challenged Patents.” I also refer to the totality of the claims of the Challenged Patents as the “Challenged Claims.”

4. I make this declaration based upon personal knowledge. I am over the age of 21 and otherwise competent to make this declaration.

5. I am being compensated at the rate of \$800 per hour for work performed on this matter. My compensation does not depend on the nature of my findings, the presentation of my findings in testimony, or the outcome of this proceeding.

II. Qualifications

6. A copy of my CV, which fully describes my qualifications as an expert in the instant matters, is submitted as Exhibit 1005 in each of the respective PGRs against the '352 patent, the '774 patent, and the '358 patent. I have set forth particularly relevant qualifications to my testimony in these matters in the paragraphs that follow.

7. I am a Professor of Pain Medicine and the Director of Neuromodulation at the University of California at San Francisco.

8. I received my Ph.D. in Toxicology/Environmental Health Sciences from the University of California in 1988 and my M.D. from Stanford University School of Medicine in 1997. In 2002 I completed a Pain Fellowship at the University of California at San Francisco.

9. I have over 20 years of experience treating patients with chronic pain and studying treatments for pain disorders including complex regional pain

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