Page 1 UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE PATENT TRIAL AND APPEAL BOARD BLUEBIRD BIO, INC.) Case No. IPR2023-00070 Petitioner,) Patent No. 7,541,179 v.) SLOAN KETTERING INSTITUTE) Case No. IPR2023-00074 FOR CANCER RESEARCH,) Patent No. 8,058,061 Patent Owner.)) DEPOSITION OF JAMES RILEY, PH.D. Thursday, September 28, 2023 Fox Rothschild LLP 101 Park Avenue 17th Floor New York, New York 9:06 a.m. (EDT) REPORTED BY: AMANDA GORRONO, CLR CLR NO. 052005-01 DIGITAL EVIDENCE GROUP 1730 M Street, NW, Suite 812 Washington, D.C. 20036 (202) 232-0646

www.DigitalEvidenceGroup.com Digit

Digital Evidence Group C'rt 2023

202-232-0646

A R M Find authenticated court documents without watermarks at <u>docketalarm.com</u>.

Page 2 A P P E A R A N C E S 1 2 3 Attorneys for Petitioner 4 PAUL HASTINGS LLP Max H. Yusem, Esquire 5 200 Park Avenue 6 7 New York, NY 10166 PHONE: (212) 318-6375 8 9 E-MAIL: Maxyusem@paulhastings.com 10 - AND -11 PAUL HASTINGS LLP 12 Krystina L. Ho, Esquire 13 200 Park Avenue 14 New York, NY 10166 15 PHONE: (212) 318-6023 16 E-MAIL: Krystinaho@paulhastings.com 17 18 Attorneys for Sloan Kettering 19 FOX ROTHSCHILD LLP 20 Michael W. Glynn Ph.D., Esquire 21 101 Park Avenue 22 17th Floor 23 New York, New York 10178 24 PHONE: 646.601.7634 25 E-MAIL: Mglynn@foxrothschild.com

A R M Find authenticated court documents without watermarks at <u>docketalarm.com</u>.

		Page 3
1	APPEARANCES, CON'T	
2		
3	- AND -	
4	FOX ROTHSCHILD LLP	
5	Joe Chen Ph.D., Esquire	
6	997 Lenox Drive	
7	Princeton Pike Corporate Center	
8	Lawrenceville, NJ 08648	
9	PHONE: 609.844.3024	
10	E-MAIL: Joechen@foxrothschild.com	
11		
12		
13	ALSO PRESENT:	
14	Danny Ortega, Legal Videographer – Digital	
15	Evidence Group	
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

DOCKET A L A R M Find authenticated court documents without watermarks at <u>docketalarm.com</u>.

			Page 4
1		I N D E X	
2	WITNESS	EXAMINATION BY	PAGE
3	JAMES RILEY,	Ph.D. MR. YUSEM	6, 150
4		MR. GLYNN	144
5	PREVIO	USLY MARKED EXHIBITS IDENTIFIED	
6	EXHIBIT	DESCRIPTION	PAGE
7	Exhibit 2056	Riley Declaration for U.S. Patent	12
8		7,541,179	
9	Exhibit 2056	Riley Declaration for U.S. Patent	13
10		8,058,061	
11	Exhibit 1005	May Article	32
12	Exhibit 1006	May Abstract	32
13	Exhibit 1001	US Patent 7,541,179	36
14	Exhibit 1001	US Patent 8,058,061	37
15	Exhibit 1034	US Patent Provisional Application .	58
16		60-301861	
17	Exhibit 2064	"Hypersensitive Site 2 Specifies a	73
18		Unique Function Within Human	
19		Beta-Globin Locus Control Region to	
20		Stimulate Globin Gene Transcription'	1
21	Exhibit 1022	Sadelain Article	82
22	Exhibit 1026	Document	130
23		REQUESTS	
24	DESCRIPTION		PAGE
25	Read & Sign		157

DOCKET A L A R M Find authenticated court documents without watermarks at <u>docketalarm.com</u>.

		Page 5
1	THE VIDEOGRAPHER: We are now on the	09:05:43
2	record. My name is Danny Ortega and I'm the	09:05:43
3	legal videographer for Digital Evidence	09:05:47
4	Group.	09:05:49
5	Today's date is September 28th,	09:05:50
6	2023, and the time is 9:06 a.m.	09:05:52
7	This video deposition is being held	09:05:56
8	at 101 Park Avenue, New York, New York, in	09:05:58
9	the matter of bluebird bio, Inc. versus Sloan	09:06:01
10	Kettering Institute.	09:06:05
11	The deponent today is James Riley,	09:06:06
12	Ph.D.	09:06:09
13	Counsel, please identify yourselves	09:06:10
14	for the record.	09:06:12
15	MR. YUSEM: Yes. Max Yusem from	09:06:14
16	Paul Hastings for Petitioner. And with me is	09:06:16
17	Krystina Ho.	09:06:20
18	MR. GLYNN: This is Michael Glynn.	09:06:22
19	And I'm joined by Joe Chen for Patent Owner.	09:06:22
20	THE VIDEOGRAPHER: The court	09:06:28
21	reporter today is Amanda Gorrono, who will	09:06:29
22	now swear in the witness.	09:06:31
23	JAMES RILEY, Ph.D., called as a witness, having	09:06:35
24	been first duly sworn by a Notary Public of the	09:06:35
25	State of New York, was examined and testified as	09:06:35

DOCKET A L A R M Find authenticated court documents without watermarks at <u>docketalarm.com</u>.

DOCKET A L A R M



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.