

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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BLUEBIRD BIO, INC.,  
Petitioner,

v.

SLOAN KETTERING INSTITUTE FOR CANCER RESEARCH,  
Patent Owner.

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Case No. IPR2023-00074  
Patent No. 8,058,061

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**DECLARATION OF HOWARD S. SUH IN SUPPORT OF  
MOTION FOR ADMISSION *PRO HAC VICE***

I, Howard S. Suh, declare as follows:

1. I am a partner in the Intellectual Property group at Fox Rothschild LLP and have a particular focus on intellectual property litigation. I have been a litigation attorney for more than 25 years. I have been litigating patent cases for more than 20 years.

2. I have been counsel on over 30 different patent litigation cases.

3. I am a member in good standing of the State Bar of New York. I am admitted to practice before the New York Supreme Court; the U.S. District Court for the Southern District of New York; and the U.S. Court of Appeals, Federal Circuit.

4. I have never been suspended or disbarred from practice before any court or administrative body.

5. I have never had an application for admission to practice before any court or administrative body denied.

6. I have never had any sanctions or contempt citations imposed against me by any court or administrative body.

7. I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in Part 42 of Title 37 of the C.F.R.

8. I agree to be subject to the USPTO Code of Professional Responsibility as set forth in 37 C.F.R. §§ 11.101 et seq. and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

9. I am a senior member of the team representing San Rocco Therapeutics, LLC (“SRT”), the exclusive licensee of U.S. Patent Nos. 7,541,179 (“the ’179 Patent”) and 8,058,061 (“the ’061 Patent”). Sloan Kettering Institute for Cancer Research (“SKI”) granted SRT an exclusive but assignable license to—and for the entire term of—the ’179 and ’061 Patents, entitling SRT to all substantial rights and the “sole responsibility” to defend any challenge to the validity of the ’179 and ’061 Patents. *See* Paper 5 at 1, Ex. 2001 at 1-3. SKI and SRT have entered into a joint defense agreement in connection with the following IPR proceedings: IPR2023-00070 (’179 Patent) and IPR2023-00074 (’061 Patent). *See* Paper 5 at 1, Ex. 2005 at 1. I am also a senior member of the team representing SRT in the following related district court cases: *San Rocco Therapeutics, LLC v. bluebird bio, Inc., et al.*, No. 1-21-cv-01478 (D. Del.); *San Rocco Therapeutics, LLC v. Memorial Sloan-Kettering Cancer Center and Sloan Kettering Institute of Cancer Research*, No. 1-21-cv-08206 (S.D.N.Y.); and *San Rocco Therapeutics, LLC v. Leschly, et al.*, No. 1:23-cv-10919 (D. Mass) (pending *pro hac vice*).

10. I am substantially familiar with the subject matter in this proceeding.

Case IPR2023-00074  
Patent 8,058,061

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

Dated: May 23, 2023

/s/ Howard S. Suh  
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