

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BLUEBIRD BIO, INC.
Petitioner

v.

SLOAN KETTERING INSTITUTE FOR CANCER RESEARCH,
Patent Owner

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

DECLARATION OF MAX H. YUSEM

I, Max H. Yusem, declare:

1. I am a member in good standing of the Bar of the State of New York.
2. I am an attorney at Paul Hastings LLP. I am an experienced patent litigation attorney with more than five years of experience. In that time, I have served as counsel in several patent infringement suits before the district courts.
3. I have never been suspended or disbarred from practice before any court or administrative body.
4. I have never had an application for admission to practice before any court or administrative body denied.
5. I have never had sanctions or contempt citations imposed by any court or administrative body.
6. 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 Code of Federal Regulations.
7. I agree to be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101, *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).
8. I am familiar with the subject matter at issue in this proceeding. I have reviewed U.S. Patent No. 8,058,061, the patent-at-issue, and other papers associated with this matter.

9. In the last three years, I have applied to appear *pro hac vice* in the following proceedings, and not any other proceedings. These applications were granted.

- *Illumina, Inc. v. Ravgen, Inc.*, IPR2021-01271, IPR2021-01272
- *Berkeley Lights, Inc. v. The Univ. of British Columbia*, IPR2021-01249

10. I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true. I understand that willful false statements are punishable by fine or imprisonment or both. *See* 18 U.S.C. § 1001.

Date: June 8, 2023

Respectfully submitted,

/Max H. Yusem/

Max H. Yusem

Paul Hastings LLP

200 Park Avenue

New York, New York 10166