

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HOPEWELL PHARMA VENTURES, INC.,
Petitioner,

v.

MERCK SERONO S.A.,
Patent Owner.

Case IPR2023-00481
U.S. Patent No. 8,377,903

**DECLARATION OF NANCY E. ADAMS Ed.D.
IN SUPPORT OF PETITION FOR INTER PARTES REVIEW OF U.S.
PATENT NO. 8,377,903**

Mail Stop "PATENT BOARD"
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

TABLE OF CONTENTS

I.	Introduction	2
A.	Qualifications and Professional Experience	2
B.	Scope of This Declaration	4
C.	Evidence Considered in Forming My Opinions	5
II.	Authenticity and Public Availability of <i>Stelmasiak</i> (EX1013).....	5
A.	Authentication.....	5
B.	Usage Record.....	6
C.	Summary of My Opinion on <i>Stelmasiak</i>	7
III.	List of Documents Considered.....	7
IV.	Conclusion.....	8

I. INTRODUCTION

I, Nancy E. Adams Ed.D., do hereby declare as follows:

1. I have been retained as an independent expert witness on behalf of Hopewell Pharma Ventures, Inc. for proceedings before the United States Patent and Trademark Office ("PTO") regarding the authenticity and public availability of certain prior-art references in relation to US Patent No. 8,377,903.

2. I am being compensated for my work in this matter at my customary hourly rate, which is \$250/hour. I am also reimbursed for any reasonable expenses associated with my work on this matter. My compensation is not contingent on the results of my study, the substance of my opinions, or the outcome of this matter.

3. I understand that this Declaration accompanies a petition for an Inter Partes Review (IPR) involving U.S. Patent No. 8,377,903 ("the '903 patent") (EX1001), which resulted from U.S. Patent Application No. 12/766,173 ("the '173 application"), filed on April 23, 2010. I understand that the '903 patent alleges a priority date of December 22, 2004. I refer to this date throughout this declaration.

A. Qualifications and Professional Experience

4. My complete qualifications and professional experience are described in my curriculum vitae (EX1030). The following is a brief summary of my relevant qualifications and professional experience.

Inter Partes Review of U.S. Patent No. 8,377,903
Declaration of Nancy E. Adams Ed.D.

5. I am the Assistant Dean of Foundational Sciences at Penn State College of Medicine and Librarian for Education and Instruction at Harrell Health Sciences Library. I have held this combined position since July of 2017; before that, I held the position Associate Director of the Harrell Health Sciences Library, which began 2010. Before that, I held numerous Librarian positions at the University level, such as Harrisburg University of Science and Technology, The University of Maine, and Wayne State University. I have accumulated a total of 26 years of experience working in an academic library and medical library. I hold an Ed.D. in Adult Education from Pennsylvania State University and a Masters in Library and Information Science from Wayne State University.

6. I am an expert on library cataloging, classification, and searching. I have published contributed chapters to editions on this subject, *Curriculum Mapping: A Match Made for Librarian Skill*, and *Making it better: library and student services collaboration at a new university* (2020 and 2012). I have taught workshops on literature searching to a myriad of college students, physicians, and medical students for decades. I have given presentations, such as “Searching PubMed like an Expert: The Evolution, a PubMed Searching Discussion Forum.” I have served as the search specialist on a systematic review team in which my role was to formulate, execute, and document an exhaustive search of the literature answering a specific research question.

7. I am familiar with metadata schema design and implementation. As a librarian, I routinely use the metadata associated with publications to answer reference questions or track down items that researchers need. I have used online cataloging systems to create new catalog records for items held by libraries.

8. I am personally familiar with many online catalogs, databases, and search engines, including all of the particular catalogs, databases, and search engines that I relied upon in forming my opinions. In preparing for this Declaration, I used the following authoritative information system to search for records:

- Google Scholar (<http://scholar.google.com>)

B. Scope of This Declaration

9. I have been asked to offer an opinion on the authenticity and public-availability date of the following document:

- Stelmasiak, Z., Solski, J., Nowicki, J., Porebska-Piwowarczyk, E., Jakubowksa, B., Ryba, M., and Grieb, P., (1998, Jan 1), "A pilot trial of cladribine (2-chlorodeoxyadenosine) in remitting-relapsing multiple sclerosis," *Medical Science Monitor*, vol. 4, no. 1, pp. 4-8 (EX1013, "Stelmasiak").

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.