

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MOLECULIGHT, INC.

Petitioner

v.

SWIFT MEDICAL INC.

Patent Owner

PGR2022-XXXXXX

U.S. Patent 11,266,345

**DECLARATION OF IRENE GEORGAKOUDI, PH.D. IN SUPPORT
OF PETITION FOR POST GRANT REVIEW**

PETITIONER'S EXHIBIT LIST

<u>Exhibit</u>	<u>Description of Exhibit</u>
1001	U.S. Patent No. 11,266,345
1002	Prosecution History of U.S. Patent No. 11,266,345
1003	U.S. Provisional Application No. 62/698,799
1004	Declaration of Irene Georgakoudi, Ph.D. in support of Petition for Post Grant Review (“Expert”)
1005	Curriculum Vitae of Irene Georgakoudi, Ph.D.
1006	U.S. Patent Application Publication US 2019/0216326 (“Cross”)
1007	U.S. Provisional Application No. 62/378,939
1008	U.S. Patent Application Publication US 2018/0188108 (“Fawzy”)
1009	U.S. Provisional Application No. 62/396,730
1010	U.S. Patent No. 5,690,417 (“Polidor”)
1011	U.S. Patent Application Publication US 2015/0042877 (“O’Neill”)
1012	U.S. Patent No. 9,696,897 (“Garcia”)
1013	U.S. Patent No. 6,208,749 (“Gutkowicz-Krusin”)
1014	U.S. Patent Application Publication US 2017/0236281 (“DaCosta”)

1015	Extended Search Report issued March 7 2022 for EP application 19837681 to Swift Medical Inc.
1016	Web archive from The Wayback Machine – “What is an LED?”, All About LEDs, Adafruit Learning System
1017	Web archive from The Wayback Machine – “Google Nexus 5 Review”, Photography Blog, December 11, 2013
1018	Web archive from The Wayback Machine – F-number, Wikipedia.com
1019	Web archive from The Wayback Machine – Visible spectrum, Wikipedia.com

I. INTRODUCTION

1. I, Irene Georgakoudi, have been retained by Davidson Berquist Jackson & Gowdey LLP on behalf of MolecuLight, Inc., to provide an analysis of the scope and content of U.S. Patent 11,266,345 (“the ’345 patent”) relative to the state of the art at the time of the earliest application underlying ’345 patent. In particular, my analysis relates to claims 1-20 of the ’345 patent. I have also been retained to provide analysis regarding what a person of ordinary skill in the art related to development of portable medical devices for imaging, including attachments for imaging devices or adding aftermarket devices into such systems, would have understood at the time of the earliest application underlying the ’345 patent.

2. This report summarizes the opinions I have formed to date. I reserve the right to modify my opinions, if necessary, based on further review and analysis of information that I receive subsequent to the filing of this report, including in response to positions taken by Swift Medical, Inc. or its experts that I have not yet seen.

II. MY EXPERIENCE AND QUALIFICATIONS

3. I have a B.A. in Physics with high honors from Dartmouth College in Hanover NH, having achieved a magna cum laude ranking and been named a Presidential Scholar. I earned a Ph.D. and M.Sc. in Biophysics from the School of

Medicine and Dentistry at the University of Rochester in Rochester, NY, specializing in photodynamic therapy of cancer.

4. From 1998-2022, I studied under an NIH Training Fellowship at the Laser Biomedical Research Center of the Massachusetts Institute of Technology in Cambridge, MA, where I specialized in biomedical spectroscopy and cancer diagnostics.

5. I am currently a Professor at Tufts University in Medford, MA in the Biomedical Engineering Department and in the Program in Cell, Molecular and Developmental Biology. I have held academic appointments at the Massachusetts Institute of Technology in Cambridge, MA, Massachusetts General Hospital in Boston, MA, Harvard Medical School in Boston, MA, and École Polytechnique, Laboratoire d'Optique et Biosciences in Palaiseau, France.

6. I earned several awards and honors for my work. In 2005, I earned the Inaugural Sturge Price Award for “pioneering contributions to spectral diagnosis of biological materials using optical spectroscopic methodology.” The Sturge Price Award recognizes early career researchers for outstanding contributions in condensed matter spectroscopy.

7. From 2006-2011, I earned the NSF Career Award for non-invasive modalities for optical imaging of cell-matrix interactions in engineered tissues. My

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