

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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INTAS PHARMACEUTICALS LTD.,  
Petitioner

v.

ATOSSA THERAPEUTICS, INC.,  
Patent Owner

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Case PGR2025-00043  
Patent 12,071,391

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**DECLARATION OF SAYEM OSMAN**

I, Sayem Osman, make the following Declaration pursuant to 28 U.S.C. § 1746:

1. I am a paralegal at the law firm of Groombridge, Wu, Baughman & Stone LLP.
2. I provide this Declaration in connection with the above-identified Patent Owner's Brief in Support of Discretionary Denial under 35 U.S.C. § 314. Unless otherwise stated, the facts stated in this Declaration are based on my personal knowledge.
3. EX2001 hereto is a true and correct copy of *Atossa Therapeutics, Inc.*'s Quarterly Report Form 10-Q for the Quarterly Period Ended March 31, 2025 and dated May 13, 2025, which I retrieved on July 1, 2025 from <https://investors.atossatherapeutics.com/static-files/c990175f-b3e9-4ea7-bbbb-1ad0808d39fd>. An exhibit label and page numbers have been added to the bottom of this document, but no other alterations have been made.
4. EX2002 hereto is a true and correct copy of a news release titled, "*Atossa Therapeutics Proposes Potentially Groundbreaking Study Aimed at Reducing Interval Breast Cancer in High-Risk Women at AACR 2025*," dated April 29, 2025, which I retrieved on July 1, 2025 from <https://investors.atossatherapeutics.com/node/11596/pdf>. An exhibit label and page numbers have been added to the bottom of this document, but no other alterations have been made.

5. EX2003 hereto is a true and correct copy of a news release titled, “*Atossa Therapeutics Announces Plans to Pursue Metastatic Breast Cancer Indication for (Z)-Endoxifen and Continued Engagement with FDA on Additional Indications,*” dated March 11, 2025, which I retrieved on July 1, 2025 from <https://investors.atossatherapeutics.com/node/11496/pdf>. An exhibit label and page numbers have been added to the bottom of this document, but no other alterations have been made.
6. EX2004 hereto is a true and correct copy of Intas’s Financials webpage, which I printed to PDF on July 1, 2025 from <https://www.intaspharma.com/financials/>. An exhibit label and page numbers have been added to the bottom of this document, but no other alterations have been made.
7. EX2005 hereto is a true and correct copy of a news release titled, “*Atossa Therapeutics Announces Issuance of Key U.S. Patent Covering Endoxifen,*” dated March 8, 2022, which I retrieved on July 1, 2025 from <https://s3.amazonaws.com/b2icontent.irpass.cc/2358/rl106566.pdf>. An exhibit label and page numbers have been added to the bottom of this document, but no other alterations have been made.
8. EX2006 hereto is a true and correct copy of the “*Efficacy and Safety of Endoxifen in Bipolar I Disorder Patients, NCT06608641,*” which I retrieved from <https://clinicaltrials.gov/study/NCT06608641> on July 7, 2025. An exhibit label and

page numbers have been added to the bottom of this document, but no other alterations have been made.

9. EX2009 hereto is a true and correct copy of a news release titled, “*Atossa Therapeutics Announces Full Results from Phase 2 KARISMA-Endoxifen Study Demonstrating Statistically Significant Reductions in Mammographic Breast Density*,” dated December 11, 2024, which I retrieved on July 1, 2025 from <https://investors.atossatherapeutics.com/node/11426/pdf>. An exhibit label and page numbers have been added to the bottom of this document, but no other alterations have been made.

10. EX2010 hereto is a true and correct copy of a news release titled, “*Atossa Therapeutics Announces First Quarter 2025 Financial Results and Provides a Corporate Update*,” which I retrieved on July 1, 2025 from <https://investors.atossatherapeutics.com/node/11616/pdf>. An exhibit label and page numbers have been added to the bottom of this document, but no other alterations have been made.

11. EX2012 hereto is a true and correct copy of an article titled, “*Breast Center Year in Review, An Unmet Need in HR-Positive Endocrine-Resistant Breast Cancer*,” 2021 Year in Review, which I retrieved on July 1, 2025 from <https://jons-online.com/special-issues-and-supplements/2021/2021-year-in-review-breast-cancer/an-unmet-need-in-hr-positive-endocrine-resistant-breast-cancer>. An exhibit

label and page numbers have been added to the bottom of this document, but no other alterations have been made.

12. EX2013 hereto is a true and correct copy of *Atossa Therapeutics, Inc.*'s Annual Report Form 10-Q for the Fiscal Year Ending December 31, 2024, dated March 25, 2025, which I retrieved on July 3, 2025 from

[https://investors.atossatherapeutics.com/static-files/57b2d4c4-a76b-41a4-b394-](https://investors.atossatherapeutics.com/static-files/57b2d4c4-a76b-41a4-b394-dbacf9568f28)

[dbacf9568f28](https://investors.atossatherapeutics.com/static-files/57b2d4c4-a76b-41a4-b394-dbacf9568f28). An exhibit label and page numbers have been added to the bottom of this document, but no other alterations have been made.

13. EX2014 hereto is a true and correct copy of U.S Patent No, 11,572,334, which I retrieved on July 3, 2025 from the USPTO Patent Center

([https://ppubs.uspto.gov/external/print/pdfRedirectDownload/11572334?requestTok](https://ppubs.uspto.gov/external/print/pdfRedirectDownload/11572334?requestToken=eyJzdWliOiJjYTQ1ODU2NS02MWJmLTQ2MzZmOTg3ZS1hOTY2ZTk5Nzc2MDUiLCJ2ZXliOiI3ZTZmOTA3OS1kMWRILTQ4ZWVtYmFiNC1mZGZjYmM1OGU0YTIiLCJleHAiOiB9)

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[M1OGU0YTIiLCJleHAiOiB9](https://ppubs.uspto.gov/external/print/pdfRedirectDownload/11572334?requestToken=eyJzdWliOiJjYTQ1ODU2NS02MWJmLTQ2MzZmOTg3ZS1hOTY2ZTk5Nzc2MDUiLCJ2ZXliOiI3ZTZmOTA3OS1kMWRILTQ4ZWVtYmFiNC1mZGZjYmM1OGU0YTIiLCJleHAiOiB9)).

An exhibit label and page numbers have been added to the bottom of this document, but no other alterations have been made.

14. EX2015 hereto is a true and correct copy of Intas' requirements for resolving disputes with Atossa which I received as an attachment to an email that I

understand was from Intas's counsel and that reflects a date of May 30, 2025. An

exhibit label and page numbers have been added to the bottom of this document, but no other alterations have been made.

15. EX2017 hereto is a true and correct copy of Intas Pharmaceuticals, Ltd.'s Petition for *Inter Partes Review* from the 2025-00799 IPR matter, which I retrieved on July 5, 2025 from [https://ptacts.uspto.gov/ptacts/public-informations/petitions/1557639/download-documents?artifactId=pYC6DFhOHvuz5izfQWrIpyt1OF3-FyNBLtGhgwZEBhvw\\_agt8x2J98](https://ptacts.uspto.gov/ptacts/public-informations/petitions/1557639/download-documents?artifactId=pYC6DFhOHvuz5izfQWrIpyt1OF3-FyNBLtGhgwZEBhvw_agt8x2J98). An exhibit label and page numbers have been added to the bottom of this document, but no other alterations have been made.

16. EX2018 hereto is a true and correct copy of Intas Pharmaceuticals, Ltd.'s Petition for *Post Grant Review* from the 2023-00043 PGR matter, which I retrieved on July 5, 2025 from <https://ptacts.uspto.gov/ptacts/public-informations/petitions/1554422/download-documents?artifactId=ghP1Xzkn0V-mE6XzkVwA27FGuFvvez1tYNGQRQOY8rpQLqPDQ24K-IY>. An exhibit label and page numbers have been added to the bottom of this document, but no other alterations have been made.

17. EX2019 hereto is a true and correct copy of an article by Rishab Gupta & Swarndeeep Singh titled, "*Endoxifen Approval for Bipolar in India, A Premature or a Pragmatic Decision?*" 43 (1) J. CLINICAL PSYCHOPHARMACOLOGY 3 (2023), which I retrieved on July 6, 2023 from [https://www.researchgate.net/profile/Rishab-Gupta-4/publication/366768894\\_Endoxifen\\_Approval\\_for\\_Bipolar\\_Disorder\\_in\\_India\\_A](https://www.researchgate.net/profile/Rishab-Gupta-4/publication/366768894_Endoxifen_Approval_for_Bipolar_Disorder_in_India_A)

Premature or a Pragmatic Decision/links/63f3b7a60d98a97717a3cc04/Endoxifen-Approval-for-Bipolar-Disorder-in-India-A-Premature-or-a-Pragmatic-Decision.pdf?origin=publication\_detail&\_tp=eyJjb250ZXh0Ijp7ImZpcnN0UGFnZSI6InB1YmxpY2F0aW9uIiwicGFnZSI6InB1YmxpY2F0aW9uRG93bmxvYWQilCJwcmV2aW91c1BhZ2UiOiJwdWJsaWNhdGlvbij9fQ&\_cf\_chl\_tk=IqRs.DdiR\_mdsCKRmp6JW4YgNx8stcxNxF98IJ0r64I-1751856807-1.0.1.1-

VAXjmJSu\_aT39\_5Lwaincculrf9jcTso\_S7b9PaL8B8. An exhibit label and page numbers have been added to the bottom of this document, but no other alterations have been made.

18. EX2020 hereto is a true and correct copy of screenshot of Zonalta.com's home webpage, which I retrieved on July 6, 2023 from <https://zonalta.in/>. An exhibit label and page numbers have been added to the bottom of this document, but no other alterations have been made.

19. EX2021 hereto is a true and correct copy of a news release titled, "*Atossa Therapeutics Granted Additional Patent Protection for Endoxifen*," dated August 28, 2024, which I retrieved on July 7, 2025 from <https://investors.atossatherapeutics.com/node/11206/pdf>. An exhibit label and page numbers have been added to the bottom of this document, but no other alterations have been made.

20. I have been warned that willful false statements and the like are punishable by fine or imprisonment, or both. I make this declaration of my own personal knowledge, and all statements are true. If called to testify as to the truth of the matters stated herein, I could and would testify competently.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 7th day of July, 2025 at Washington, D.C.

A handwritten signature in blue ink, appearing to read "Sayem Osman", is written over a horizontal line.

Sayem Osman