

1 QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP
 Adrian M. Pruetz (Bar No. 118215)
 2 Jeffrey N. Boozell (Bar No. 199507)
 865 South Figueroa Street, 10th Floor
 3 Los Angeles, California 90017-2543
 Telephone: (213) 443-3000
 4 Facsimile: (213) 443-3100
 E-Mail: adrianpruetz@quinnemanuel.com
 5 jeffboozell@quinnemanuel.com

6 Robert W. Stone (Bar No. 163513)
 Brian C. Cannon (Bar No. 193071)
 7 T.J. Chiang (Bar No. 235165)
 555 Twin Dolphin Drive, Suite 560
 8 Redwood Shores, California 94065
 Telephone: (650) 801-5000
 9 Facsimile: (415) 801-5100
 E-Mail: robertstone@quinnemanuel.com
 10 tjchiang@quinnemanuel.com

11 Attorneys for Defendants and Counterclaimants
 Roche Molecular Systems, Inc.; Roche
 12 Diagnostics Corporation; and Roche Diagnostics
 Operations, Inc.

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA

15 THE BOARD OF TRUSTEES OF THE LELAND
 16 STANFORD JUNIOR UNIVERSITY,

17 Plaintiff,

18 vs.

19 ROCHE MOLECULAR SYSTEMS, INC.; ROCHE
 20 DIAGNOSTICS CORPORATION; ROCHE
 DIAGNOSTICS OPERATIONS, INC.,

21 Defendants.

22 ROCHE MOLECULAR SYSTEMS, INC. ROCHE
 23 DIAGNOSTICS CORPORATION; ROCHE
 DIAGNOSTICS OPERATIONS, INC.,

24 Counterclaimants,

25 vs.

26 THE BOARD OF TRUSTEES OF THE LELAND
 27 STANFORD JUNIOR UNIVERSITY; AND
 THOMAS MERIGAN.

28 Counterclaim Defendants.

CASE NO. C-05-04158 MHP

DECLARATION OF T.J. CHIANG
 IN SUPPORT OF DEFENDANTS'
 BRIEF ON STANFORD'S WAIVER
 OF THE ATTORNEY-CLIENT
 PRIVILEGE AND WORK
 PRODUCT PROTECTION
 CONCERNING INVENTORSHIP

1 I, Tun-Jen Chiang, declare:

2 1 I am an attorney at law licensed to practice in the State of California and an
3 associate attorney at the firm of Quinn Emanuel Urquhart Oliver & Hedges, LLP, counsel for
4 defendants Roche Molecular Systems, Inc., Roche Diagnostics Corporation, and Roche
5 Diagnostics Operations, Inc. I make this declaration of personal, first-hand knowledge and, if
6 called and sworn as a witness, I could and would testify competently as to the following:

7 2 Attached hereto as Exhibit A is a true and correct copy of a document in the
8 file history of United States Patent No. 6,503,705, bearing a date stamp of the United States Patent
9 and Trademark Office stating that it was received on June 6, 1995, addressed to the Commissioner
10 of Patents and Trademarks, and stating on its face that it is the Declaration of Thomas C. Merigan,
11 Jr., M.D.

12 3. Attached hereto as Exhibit B is a true and correct copy of a document in the
13 file history of United States Patent No. 6,503,705, bearing a date stamp of the United States Patent
14 and Trademark Office stating that it was received on June 6, 1995, addressed to the Commissioner
15 of Patents and Trademarks, and stating on its face that it is the Declaration of Barry W. Elledge,
16 Ph.D.

17 4. Attached hereto as Exhibit C is a true and correct copy of a document in the
18 file history of United States Patent No. 6,503,705, stating on its face that it is a Decision on
19 Petition under 37 C.F.R. § 1.48(a), and stating on its face that the § 1.48(a) petition to correct
20 inventorship is Granted.

21 I declare under penalty of perjury under the laws of the United States of America
22 that the foregoing is true and correct.

23 Executed this 30th day of May, 2006, at Redwood Shores, California.

24
25
26
27
28

/s/ Tun-Jen Chiang
Tun-Jen Chiang