Amgen Inc. v. F. Hoffmann-LaRoche LTD et al

Case 1:05-cv-12237-WGY

Document 1053-2

Filed 09/12/2007

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Doc. 1053 Att. 1

## Exhibit A

Confidential Subject to Protective Orders, C.A. No. 87-2617-Y(D.C.MA) C.A. No. 87-07200-TJH(D.C.CA)



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## Genetics Institute

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January 16, 1984

Dr. R. Sadahiro
Deputy Senior Manager
Ethical Product Planning Dept.
R&D Division
Chugai Pharmaceutical Co. Ltd.
1-9, Kyobashi 2-chome, Chuo-ku
Tokyo 104
JAPAN

Dear Dr. Sadahiro,

After receiving your telex of January 11, 1984, we had a serious discussion among the management and scientific staff at Genetics Institute. We came to the conclusion that although we missed the chance to be the first one to clone EPO, we will continue to pursue this project aggressively, for the following two major reasons:

1) The patent situation

225 Longweed Avenue Boston, Massachusetts 02115 Jolephone 617-232 6696 Joles 0462 (4 Confidential Subject to Protective Orders, C.A. No. 87-2617-Y(D.C.MA) C.A. No. 87-07200-TJH(D.C.CA)

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## 2) Development of commercializable product

It is our business strategy to be among the front runners in all the product areas we choose to work on. Cloning is only part of the research work needed to develop a therapeutic protein drug. Expression, scale-up, process development and purification are all important steps for successful product development. Genetics Institute already has extensive experience in these mid-etreom and downestreem developments.

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Since EPO is a heavily glycosylated protein, mammalian expression system may be the choice for the production of therapeutically useful EPO. We have a very strong mammalian expression team, which has successfully expressed glycosylated proteins in high yields (50-100 mg/l). Because of these existing in-house technologies, we believe we

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still have a good chance to introduce a EPO product of the marketplace ahead of Amgen together with our partners.

Regarding to the specific points in your telex, I have reviewed it with Dr. Fritsch and the management staffs of GI. Following are Dr. Fritsch's answers:

1)

2) If Amgen obtained a genomic clone first using synthetic oligonucleotides then our approaches could be similar. Whether they are or not depends on the exact nucleic Confidential Subject to Protective Orders,
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in the patent.

3)

4)

5)

Enclosed please find a copy of the announcement made by

Amgen and a news report from McGraw-Hill's Biotechnology Newswatch.

As you may already be aware, in the biotechnology race there are

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usually many runners going after the same goal.

Sincerely yours,

Man-chui Yang

enclosure

cc: G. Schmergel