

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

ASSOCIATION FOR MOLECULAR )  
PATHOLOGY; AMERICAN COLLEGE OF )  
MEDICAL GENETICS; AMERICAN SOCIETY )  
FOR CLINICAL PATHOLOGY; COLLEGE OF )  
AMERICAN PATHOLOGISTS; HAIG )  
KAZAZIAN, MD; ARUPA GANGULY, PhD; )  
WENDY CHUNG, MD, PhD; HARRY OSTRER, )  
MD; DAVID LEDBETTER, PhD; STEPHEN )  
WARREN, PhD; ELLEN MATLOFF, M.S.; )  
ELSA REICH, M.S.; BREAST CANCER )  
ACTION; BOSTON WOMEN’S HEALTH )  
BOOK COLLECTIVE; LISBETH CERIANI; )  
RUNI LIMARY; GENAE GIRARD; PATRICE )  
FORTUNE; VICKY THOMASON; KATHLEEN )  
RAKER, )

Plaintiffs,

v.

UNITED STATES PATENT AND )  
TRADEMARK OFFICE; MYRIAD GENETICS; )  
LORRIS BETZ, ROGER BOYER, JACK )  
BRITTAIN, ARNOLD B. COMBE, RAYMOND )  
GESTELAND, JAMES U. JENSEN, JOHN )  
KENDALL MORRIS, THOMAS PARKS, )  
DAVID W. PERSHING, and MICHAEL K. )  
YOUNG, in their official capacity as Directors of )  
the University of Utah Research Foundation, )

Defendants

Civil Action No. 09-4515 (RWS)

**DECLARATION OF  
DANIEL B. RAVICHER**

1. I am a member of the bar of this Court and the Executive Director of the Public Patent Foundation (“PUBPAT”) at Benjamin N. Cardozo, where I am also a member of the faculty. PUBPAT, along with the American Civil Liberties Union (ACLU), is counsel in this action to all named plaintiffs.

2. I offer this declaration in support of the foregoing plaintiffs' motion for summary judgment.
3. Annexed hereto as Exhibit 5 is a copy of U.S. Patent No. 5,753,441.
4. Annexed hereto as Exhibit 6 is a copy of U.S. Patent No. 5,837,492.
5. Annexed hereto as Exhibit 7 is a copy of U.S. Patent No. 6,033,857.

I declare, pursuant to 28 U.S.C. §1746, under penalty of perjury under the laws of the United States, that the foregoing is true and correct to the best of my knowledge and belief.



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Daniel B. Ravicher

Executed on August 26, 2009