

IN THE COLUMBIAN PATENT OFFICE

In the matter of:

Columbian Pat. App. No. NC2019/0001363

having the title "Heterodimeric Antibodies that Bind CD3 and Tumor Antigens"
in the name of Xencor, Inc.

DECLARATION OF DR. MATTHEW J. BERNETT

I, Matthew J. Bennett, Ph.D, hereby make the following declaration:

Qualifications and Background

1. I am currently a Director at the biopharmaceutical company Xencor, Inc., located at 111 West Lemon Avenue, Monrovia, California 91016, United States of America. I received my Bachelor of Science degree in Chemistry at the University of West Florida in 2000. I received my Doctorate in Chemistry at Florida State University in 2004. I am an author on 28+ peer-reviewed scientific publications. Since 2004, I have worked at Pfizer and at Xencor developing various pharmaceutical compositions. It is during my tenure at Xencor, Inc., I helped design and create what is known as XmAb14045.

The Context for the Invention Claimed in Columbian Pat. App. No. NC2019/0001363

2. I have been asked to confirm that the CDR sequences claimed in Columbian Patent Application Number NC2019/0001363 ("the '363 application") are identical to the CDR sequences of Xencor's clinical trial molecule XmAb14045.

Analysis

3. It is my understanding that the only pending independent claim in the '363 application is as follows:

A heterodimeric antibody comprising:

- a) a CD3 binding domain;
- b) a CD123 binding domain; and
- c) a first Fc domain and a second Fc domain;

wherein said CD123 binding domain comprises a heavy variable domain (VH) comprising a VHCDR1 of SEQ ID NO: 440, a VHCDR2 of SEQ ID NO: 441, and a VHCDR3 of SEQ ID NO: 442; and a variable light domain (VL) comprising a VLCDR1 of SEQ ID NO: 444; a VLCDR2 of SEQ ID NO: 445, a VLCDR3 of SEQ ID NO: 446;

wherein said CD3 binding domain comprises a VH comprising VHCDR1 of SEQ ID NO: 2, 11, 20, 29, 38, or 47, a VHCDR2 of SEQ ID NO: 3, 12, 21, 30, 39, or 48, RIRSKANNYATAYADSVKG or RIRSKANNYATAYADSVKG, and VHCDR3 of SEQ ID NO: 4, 13, 22, 31, 40, or 49, HGNFGPSYVSWFAY, HGNFGESYVSWFAY, HGNFGQSYVSWFAY, HGNFGDNYVSWFAY, HGNFGDQYVSWFAY, HGNFGASYVSWFDY, HGNFGQSYVSWFDY, HGNFGDEYVSWFDY, HGNFGDNYVSWFDY, HGNFGDPYVSWFDY, HGNFGDQYVSWFDY, or HGNFGASYVSWFAY; and a VL comprising a VLCDR1 of SEQ ID NO: 6, 15, 24, 33, 42, or 51, a VLCDR2 of SEQ ID NO: 7, 16, 25, 34, 43, or 52, and a VLCDR3 of SEQ ID NO: 8, 17, 26, 35, 44 or 53.

4. After comparing the sequences in the independent claim of the '363 application and the CDR sequences of XmAb14045, I declare that the independent claim of the '363 application covers the exact CDR sequences of XmAb14045.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true.

Dated: 2/23/2021

By: Matthew J. Bennett

Matthew J. Bennett, Ph.D