

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CURIUM US LLC,

Petitioner,

v.

**UNIVERSITÄT HEIDELBERG AND THE EUROPEAN ATOMIC
ENERGY COMMUNITY (EURATOM), REPRESENTED BY THE
EUROPEAN COMMISSION,**

Patent Owners

Case No. IPR2025-01582

Patent No. 10,980,901 B2

DECLARATION OF PROF. FREDERIK A. VERBURG, MD, Ph.D.

1. I, Dr. Frederik Verburg, submit this declaration in support of the above-referenced proceeding.
2. I have personal knowledge of the matters set forth in this declaration unless otherwise indicated.
3. I am a Full Professor of Translational Nuclear Medicine in the Department of Radiology & Nuclear Medicine at the Erasmus MC in Rotterdam, The Netherlands and Managing Director of Theranostics Erasmus MC B.V..
4. The statements in this declaration are true and correct to the best of my knowledge and belief and are based on my own personal education, training, and experience unless otherwise indicated.

I. PERSONAL BACKGROUND

5. I am a nuclear medicine physician specializing in the molecular imaging and therapy of various diseases using nuclear medicine. I also do research in thyroid cancer, parathyroid imaging, PET/CT, Grave's disease, and radioiodine therapy as well as theragnostic nuclear medicine in prostate cancer and nuclear medicine therapy of intracranial tumors, especially treatment of meningiomas in advanced disease.
6. I studied medicine at the universities of Leuven (Belgium) and Utrecht (The Netherlands) from 1997 to 2004. I also trained as a nuclear medicine physician at the University Medical Center Utrecht (The Netherlands) and University

Hospital Würzburg (Germany) from 2005 to 2010. During that time, I also obtained my Ph.D. in Medicine from the University of Utrecht in 2008, my Dr. in Medicine from University Würzburg in 2009 and my habilitation (Academic Teaching & Promotion Rights) from University Würzburg in 2010. I subsequently worked as an Assistant Professor of Nuclear Medicine at University Hospital RWTH Aachen (Germany) from 2011 to 2016, then as Full Professor of Experimental Nuclear Medicine at University Hospital Gießen-Marburg (Germany) from 2016 to 2020, before joining Erasmus MC as Full Professor of Translational Nuclear Medicine in 2020.

7. I have been a contributor to guidelines published by the European Association of Nuclear Medicine (EANM) and have co-authored the Joint SNMMI/EANM practice guideline for Nuclear Medicine Evaluation and Therapy of Differentiated Thyroid Cancer.

THE '901 PATENT AND THE 2016 PAPER

8. I have been an author on over 300 publications, including the 2016 Journal of Nuclear Medicine publication titled “²²⁵Ac-PSMA-617 for PSMA-Targeted α -Radiation Therapy of Metastatic Castration-Resistant Prostate Cancer.”
Clemens Kratochwil et al., *²²⁵Ac-PSMA-617 for PSMA-Targeted α -Radiation Therapy of Metastatic Castration-Resistant Prostate Cancer*, 57 J. Nuclear Medicine 1941 (2016) (the “Kratochwil 2016” paper). My involvement in the



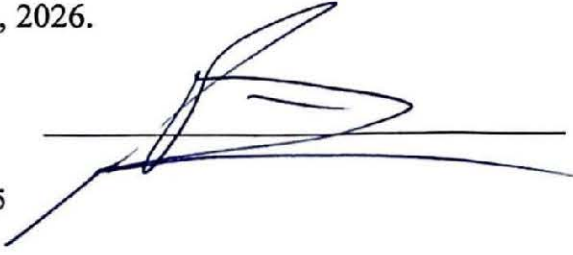
paper was limited to providing the history of one of the patients and diagnostic images before and after treatment (Figure 3 in the publication) and reviewing the paper. But I had no involvement in determining the dosing methods or regimen or the creation of the radiopharmaceutical used, the ^{225}Ac -PSMA-617.

9. At the time of my involvement in the Kratochwil 2016 paper, I was an attending physician working under Prof. Dr. Felix Mottaghy at RWTH University Hospital Aachen.
10. Although I was included as a co-author on the Kratochwil 2016 paper, I do not believe that I qualify as an inventor on the U.S. Patent No. 10,980,901 Patent. Everything I know about the ^{225}Ac -PSMA-617 molecule and its use originated from Dr. Kratochwil or Dr. Haberkorn.
11. Around 2014, Dr. Mottaghy and I had a patient suffering from prostate cancer, which had metastasized and spread throughout his body. The cancer continued to progress and in our hospital we had no further viable treatment options.
12. At that time, Dr. Mottaghy had a relationship with Drs. Clemens Kratochwil and Uwe Haberkorn, who were later listed as inventors on the '901 Patent. My understanding was that he had previously worked with one of them. And they had introduced him to the ^{177}Lu -PSMA treatments.
13. Drs. Kratochwil and Haberkorn had been working on a new radiopharmaceutical. They were only using the therapy with patients who, like

ours, had tried other treatments without success and were likely to die. Given the extensiveness of our patient's metastasis, he was very likely to die soon, so he was eligible for this "compassionate care."

14. When we referred the patient, we did not know what results Drs. Kratochwil and Haberkorn were getting at that point or the details of the treatment. Dr. Kratochwil did all the treatments on the patient using ^{225}Ac -PSMA-617 including deciding the dosing and course. Dr. Mottaghy and I had no involvement with the drug whatsoever.
15. Before referring the patient to Dr. Kratochwil for treatment, Dr. Mottaghy and I had already done a work up to as part of the standard care to follow the patient's progression through treatment with ^{177}Lu . This included imaging of the patient's metastasized cancer. After the patient's treatment by Dr. Kratochwil, he returned to us for our follow up diagnostic. This diagnostic was is part of standard care, not part of the treatment.
16. Of course, we referred the patient for the treatment in the hope that it would help, because nothing else had, but Dr. Mottaghy and I did not expect the results we saw. We were very surprised to see that the patient had gone from having extensive, life-threatening metastasis to in essence complete remission.

Executed this 4th day of August, 2026.

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