

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AKER BIOMARINE AS
Petitioner

v.

NEPTUNE TECHNOLOGIES AND BIORESSOURCES INC.
Patent Owner

Case IPR2014-00003
Patent 8,278,351 B1

**DECLARATION OF LESLIE M. SCHMIDT IN SUPPORT OF MOTION
TO APPEAR *PRO HAC VICE* ON BEHALF OF PETITIONER AKER
BIOMARINE AS**

**Mail Stop "PATENT BOARD"
Patent Trial and Appeal Board
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450**

AKBM-1081

I, Leslie M. Schmidt, do hereby declare:

1. I am an associate in the law firm Kirkland & Ellis LLP. Lead counsel in this *inter partes* review proceeding is J. Mitchell Jones, Ph.D, who is a partner in the law firm Casimir Jones. Dr. Jones is registered to practice before the United States Patent and Trademark Office (“PTO”) and holds Registration No. 44,174. Amanda J. Hollis, who is a partner in the law firm Kirkland & Ellis LLP, is back-up counsel and is registered to practice before the PTO and holds Registration No. 55,629. With respect to this proceeding, I will work closely with Dr. Jones and Ms. Hollis.
2. I hold a Bachelor of Science degree in Chemistry and from the University of Notre Dame. I hold a Juris Doctor degree from Boston College Law School.
3. I have nearly six years of experience as a litigation attorney who specializes in patent litigation, representing clients in matters in various United States District Courts, the Court of Appeals for the Federal Circuit, and before the International Trade Commission (“ITC”). My experience includes several matters in the chemical and mechanical engineering arts. I am, therefore, an experienced litigating attorney. AKBM desires, and has a need, to be represented in certain aspects of these proceedings by an experienced litigating attorney.
4. I am very familiar with U.S. Patent No. 8,278,351, and with the legal subject matter, technical subject matter, and prior art discussed in AKBM’s Request for *Inter Partes* Review of U.S. Patent No. 8,278,351, which forms the basis for this proceeding. I represented AKBM in the ITC investigation and district court actions related to this patent and was involved with factual and technical developments in that matter.

5. I am a member in good standing of the Bar of the State of New York, the Bar of the Commonwealth of Massachusetts, and the Bar of the District of Columbia. I am admitted to practice before the United States District Court for the Northern District of Florida, the United States Court of Appeals for the Federal Circuit, and the United States Court of Appeals for the Seventh Circuit.
6. I have never been suspended or disbarred from practice before any court or administrative body.
7. I have never had a court or administrative body deny my application for admission to practice.
8. I have never been sanctioned or cited for contempt by any court or administrative body.
9. I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of the C.F.R.
10. I agree to be subject to the United States Patent and Trademark Office Code of Professional Responsibility set forth in 37 C.F.R. §§ 10.20 et seq. and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).
11. In the past three (3) years, I have not appeared *pro hac vice* in any proceedings before the United States Patent and Trademark Office.
12. I 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; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of U.S. Patent No. 8,278,351.

Date: May 9, 2014

Respectfully submitted,

By: /s/ Leslie M. Schmidt

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