

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 MICHAEL W. De VRIES 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 1082

I, Michael W. De Vries, do hereby declare:

1. I am a partner 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 Arts degree in Political Science and English from the University of California at Berkley. I hold a Juris Doctor degree from the University of California, Berkeley School of Law, and hold a Certificate in Law and Technology from the Berkeley Center for Law & Technology.
3. I have nearly fourteen years of experience as a litigation attorney who specializes in patent litigation and represents clients in patent litigation matters in various United States District Courts, the Court of Appeals for the Federal Circuit, and before the International Trade Commission. My experience includes several matters in the chemical, electrical, and computer science arts, and I have particular experience relevant to the technological and legal matters at issue in this proceeding. I am, therefore, an experienced patent litigation attorney with particular expertise that is pertinent to this proceeding. AKBM desires, and has a need, to be represented in certain aspects of these proceedings by an experienced patent litigation attorney who has particular expertise that is relevant to the issues in this proceeding.

4. I have also led efforts to educate attorneys at Kirkland & Ellis LLP about the *Inter Partes* Review procedures and have participated in preparing multiple *Inter Partes* Review and Covered Business Method Review petitions. I was granted *pro hac* admission in CBM No. 2013-00015, filed April 2, 2013.
5. 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.
6. I am a member in good standing of the Bar of the State of California. I am admitted to practice before the United States District Court for the Eastern District of Texas, the United States District Court for the Eastern District of California, the United States District Court for the Northern District of California, the United States District Court for the Central District of California, the United States District Court for the Southern District of California, the United States Court of Appeals for the Federal Circuit, and the United States Court of Appeals for the Eleventh Circuit.
7. I have never been suspended or disbarred from practice before any court or administrative body.
8. I have never had a court or administrative body deny my application for admission to practice.
9. I have never been sanctioned or cited for contempt by any court or administrative body.
10. 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.

Declaration of Michael W. De Vries to Appear *Pro Hac Vice*

11. 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).
12. In the past three (3) years, I was admitted *pro hac vice* as counsel for Oracle Corporation before the Patent Trial and Appeal Board in a Post-Grant Review Petition concerning Method and Apparatus For A Cryptographically-Assisted Commercial Network System Designed to Facilitate and Support Expert-Based Commerce, CBM No. 2013-00015.
13. 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/ Michael W. De Vries

Michael W. De Vries

Kirkland & Ellis LLP

333 South Hope Street

Los Angeles, CA 90071

Phone: (213) 680-8590

michael.devries@kirkland.com