

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD**

**ENZYMOTEC LTD.,
Petitioner**

v.

**NEPTUNE TECHNOLOGIES AND BIORESSOURCES INC.,
Patent Owner**

IPR2014-00556

**DECLARATION OF DANIEL P. MARGOLIS IN
SUPPORT OF MOTION FOR *PRO HAC VICE*
ADMISSION UNDER 37 C.F.R. § 42.10(c)**

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

Petition for Inter Partes Review
Of U.S. Patent 8,278,351

I, Daniel P. Margolis, declare as follows:

1. I obtained a B.S. in Chemical Engineering from Rutgers College of Engineering in 1998, and a Ph.D. in chemical engineering from Carnegie Mellon University in 2003. I obtained a J.D. from New York University in 2006.

2. I am currently an associate in the law firm of Kenyon & Kenyon LLP, a position which I have held since September, 2006. In my nearly eight years as an associate, my practice has focused primarily on representing clients in patent litigations involving the chemical arts in United States district courts, the Court of Appeals for the Federal Circuit, and the United States International Trade Commission. Through this work, I have gained extensive experience as a litigating attorney, particularly in patent cases.

3. I am a member in good standing of the Bar of the State of New York and am admitted to practice before the United States District Court for the Southern District of New York.

4. I have never been suspended or disbarred from practice before any court or administrative body.

5. I have never had an application for admission to practice before any court or administrative body denied.

6. I have never been subject to any sanction or contempt citation imposed by any court or administrative body.

7. 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 37 C.F.R.

8. I agree to be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 *et. seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

9. I have not applied to appear *pro hac vice* in any other proceeding before the Office in the last three years.

10. I have substantial familiarity with the subject matter at issue in this proceeding. Patent Owner previously asserted U.S. Patent No. 8,278,351 ("the '351 patent"), the patent at issue in this proceeding, against Petitioner Enzymotec Ltd. in Investigation No. 337-TA-887 before the United States International Trade Commission ("the ITC case"). I served as litigation counsel for Enzymotec Ltd. in that Investigation, and, in the course of that representation, developed a strong familiarity with the '351 patent, its prosecution history, and the general subject matter to which the '351 patent is directed. I am also familiar with the prior art references relied upon by Petitioner in support of its invalidity grounds in this proceeding, which were similarly relied upon by Petitioner in the ITC case. Furthermore, I have thoroughly reviewed the Petition and accompanying Exhibits submitted in this proceeding.

11. I declare under penalty of perjury that the foregoing is true and

correct. 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; 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 the application or any patent issued thereon.

Executed on: May 30, 2014

/Daniel P. Margolis/
Daniel P. Margolis