

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AGILA SPECIALTIES INC. AND
MYLAN PHARMACEUTICALS INC.,
Petitioner,
v.

CUBIST PHARMACEUTICALS, INC.
Patent Owner

U.S. Patent No. 8,129,342

Case IPR2015: Unassigned

EXPERT DECLARATION OF CATHERINE MULLIGAN, PH.D

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1. My name is Catherine N. Mulligan, Ph.D. I have been retained by counsel for Mylan Inc. (Mylan). I understand that Mylan intends to petition for *inter partes* review of U.S. Patent No. 8,129,342 (the ‘342 patent) [Ex. 1002], which is assigned to Cubist Pharmaceuticals, Inc. I also understand that Mylan intends to petition for *inter partes* review of U.S. Patent No. 8,058,238 (the ‘238 patent) [Ex. 1001], which is also assigned to Cubist Pharmaceuticals, Inc. I further understand that Mylan will request that the United States Patent and Trademark Office cancel certain claims of the ‘342 patent and the ‘238 patent as unpatentable in the *Inter Partes* Review petitions. I submit this expert declaration, which addresses and supports Mylan’s *Inter Partes* Review petition for the ‘342 patent. I have prepared and submitted a separate declaration which addresses and supports Mylan’s *Inter Partes* Review petition for the ‘238 patent.

I. **Qualifications and Background**

A. **Education and Experience; Prior Testimony**

2. I received my Bachelors of Engineering and Masters of Engineering in Chemical Engineering in 1983 and 1985, respectively, from McGill University. My Masters thesis was under the supervision of Professor David Cooper, an expert in biosurfactants. I went on to obtain my Ph.D in Geoenvironmental Engineering from McGill University in 1998 with Professor Raymond N. Yong. My thesis

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