

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COALITION FOR AFFORDABLE DRUGS II LLC
Petitioner

v.

NPS PHARMACEUTICALS, INC.
Patent Owner

Case IPR2015-01093
Patent 7,056,886

**DECLARATION OF MATTHEW HU IN SUPPORT OF PATENT
OWNER'S MOTION TO DEEM THE FILING OF PATENT OWNER'S
EXHIBITS 2042-2055, 2057-2074, & 2076-2149 AS TIMELY**

NPS Ex. 2161
CFAD v. NPS
IPR2015-01093

I, Matthew Hu, hereby declare:

1. I am a paralegal at the law firm of Troutman Sanders LLP, counsel of record for Patent Owner NPS Pharmaceuticals, Inc. (“NPS”). I make this Declaration in support of Patent Owner’s Motion to Deem the Filing of Patent Owner’s Exhibits 2042-2055, 2057-2074, & 2076-2149 as Timely in IPR2015-00990 and IPR2015-01093 based on my own personal knowledge and, if called as a witness, I could and would testify competently to the facts in this Declaration.

2. I was instructed by Dustin Weeks – attorney of record for NPS – to begin filing NPS’s Response, NPS’s Combined Motion to Seal and Motion for Entry of Protective Order, and associated exhibits for IPR2015-00990 and IPR2015-01093 at approximately 11:30 p.m. on January 20, 2016.

3. Due to the large number of exhibits that had to be filed, I informed Mr. Weeks that I did not believe the filing would be completed prior to 12:00 a.m. on January 21, 2016 (“the filing deadline”).

4. Mr. Weeks then instructed me, first, to file (1) the Response (Paper 33), (2) redacted and unredacted versions of the expert declarations in support of the Response – Ex. 2040 and 2041 (unredacted) and Ex. 2148 and 2149 (redacted), (3) Ex. 2056 and 2075 in support of the Response, which contain confidential protective order material filed under seal, (4) Patent Owner’s Combined Motion to File Under Seal and for Entry of Protective Order (Paper 34), and (5) the Protective

Order associated with the motion in IPR2015-00990 to ensure that these documents were filed prior to the filing deadline.

5. I filed each of the documents referenced in ¶ 4 prior to the filing deadline.

6. Mr. Weeks then instructed me to file the documents corresponding to those identified above in ¶ 4 for related IPR2015-01093 to ensure that these documents were filed prior to the filing deadline. For IPR2015-01093, these documents included Paper 31 (Response), Paper 32 (Motion), Exhibits 2041 and 2051 (unredacted declarations), Exhibits 2056 and 2075 (confidential exhibits), and Exhibits 2148 and 2149 (redacted declarations).

7. In IPR2015-01093, each of the documents identified in ¶ 6 were filed prior to the filing deadline, with the exception of the redacted expert declarations (Ex. 2148 and 2149), which were filed at 12:02 a.m. on January 21, 2016.

8. Mr. Weeks then instructed me to begin filing Exhibits 2042-2055, 2057-2074, and 2076-2147 in IPR2015-00990 and IPR2015-01093.

9. I began filing Exhibits 2042-2055, 2057-2074, and 2076-2147 in IPR2015-00990, but encountered difficulties with size limits of some of the files requiring me to break several of the exhibits down into multiple documents to be uploaded.

10. I completed the filing of Exhibits 2042-2055, 2057-2074, and 2076-

2147 in IPR2015-00990 – after taking almost 2.5 hours to upload all documents – at 2:25 a.m.

11. I immediately then began filing Exhibits 2042-2055, 2057-2074, and 2076-2147 in IPR2015-01093.

12. I completed the filing of Exhibits 2042-2055, 2057-2074, and 2076-2147 in IPR2015-01093 at approximately 3:50 a.m.

13. On January 21, 2016, I sent an email to counsel of record for Petitioner with a Dropbox link, which provided Petitioner's counsel with access to all documents filed in IPR2015-00990 and IPR2015-01093.

14. On January 21, 2016, I mailed hard copies of all documents filed by NPS in IPR2015-00990 and IPR2015-01093 to Petitioner via overnight delivery.

15. I declare under penalty of perjury that the statements made herein are true and correct.

Respectfully submitted,

Dated: January 29, 2016

/Matthew Hu/
Matthew Hu