

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COALITION FOR AFFORDABLE DRUGS VI LLC,

PETITIONER

V.

CELGENE CORPORATION,

PATENT OWNER

CASE IPR2015-01096

PATENT NO. 6,315,720

**DECLARATION OF SADAF R. ABDULLAH
IN SUPPORT OF PETITIONER'S UNOPPOSED MOTION FOR *PRO HAC*
VICE ADMISSION OF SADAF R. ABDULLAH AS BACK-UP COUNSEL**

I, Sadaf R. Abdullah, declare as follows:

1. I am a member of good standing with the Texas State Bar (2014) (Bar No. 24093500), New York State Bar (2010) (Bar No. 4781225), and the Commonwealth of Massachusetts Bar (2006) (Bar No. 666865). I am admitted to practice in the U.S. Courts of Appeals for the Federal Circuit.

2. I have applied to appear *pro hac vice* before the Office in one other proceeding within the last three years. On February 19, 2016, I applied to appear *pro hac vice* in *Coalition for Affordable Drugs II LLC v. Cosmo Technologies LTD.*, IPR2015-00988, and that application was granted on March 1, 2016 (*see* IPR2015-00988, Paper 26).

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

4. I have never had any sanctions or contempt citations imposed on me from any court or administrative body.

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

6. 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 37 C.F.R. § 42 *et. seq.*

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

8. CFAD's lead counsel in this proceeding, Ms. Sarah Spires, is a Partner at Skiermont Derby LLP, and is a registered patent practitioner. She is expected to take maternity leave in the next several months.

9. I am an experienced patent litigation attorney with over 9 years of litigation experience, including 9 years of experience litigating pharmaceutical-related patent cases, including cases where the patentability of claims under 35 U.S.C. §§ 102 and 103 was or is at issue. This experience includes serving as counsel (including at trial) in the following representative pharmaceutical patent matters:

- *Novartis Pharmaceuticals Corporation v. Actavis LLC et al.*, C.A. No. 2:13-cv-01028-SDW-MCA (District of New Jersey);
- *Enzo Life Sciences Inc. v. Becton Dickson and Company et al.*, C.A. No. 1:12-cv-00275-LPS (District of Delaware);
- *Somaxon Pharmaceuticals Inc. v. Actavis Elizabeth LLC et al.*, C.A. No. 1:11-cv-00402 (District of Delaware);
- *Warner Chilcott Company et al v. Teva Pharmaceuticals USA Inc.*, C.A. No. 1:08-cv-00627-LPS (District of Delaware);

- *Abbott GmbH & Co., KG et al v. Centocor Ortho Biotech, Inc.*, C.A. No. 4:09-cv-11340 (District of Massachusetts);
- *Apotex Inc. v. Cephalon Inc. et al.*, C.A. No. 2:06-cv-02768 (Eastern District of Pennsylvania)
- *Mitsubishi Chemical Corp., et al. v. Barr Laboratories Inc.*, C.A. No. 1:07-cv-11614 (Southern District of New York)
- *Braintree Laboratories, Inc. v. Schwarz Pharma Inc.*, C.A. No. 1:03-cv-00477-SLR (District of Delaware)
- *Coalition for Affordable Drugs II LLC v. Cosmo Technologies LTD.*, IPR2015-00988

10. I have established deep familiarity with the subject matter at issue in this proceeding. In addition to my work on the subject matter at issue in this proceeding described in the following paragraphs, I am counsel in litigation against Celgene (Patent Owner) in *Andrulis Pharmaceuticals Corp. v. Celgene Corp.*, C.A. No. 13-cv-01644-RGD (District of Delaware) (currently on appeal to the Federal Circuit; Case No. 2015-1962). Celgene's REMS distribution program that is the subject matter of U.S. Patent No. 6,315,720 ("720 Patent") is relevant to the *Andrulis*.

11. I have reviewed and analyzed the '720 Patent and its prosecution history.

12. I have reviewed and analyzed the Petition and supporting materials.

13. I have reviewed and analyzed the Patent Owner Preliminary Response and the Decision regarding the Institution of *Inter Partes* Review.

14. On behalf of CFAD, I worked with the expert (Jeffrey Fudin) in preparation for his deposition regarding his declaration in support of CFAD's Petition, and I attended that deposition.

Under penalty of perjury, I declare the above statements are true and accurate to the best of my knowledge. I have been warned that willful false statements and the like are punishable by fine or imprisonment, or both. (18 U.S.C. § 1001.)

DATED this 14th day of March, 2016.

By: /s/ Sadaf R. Abdullah _____
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