

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LUPIN LTD. and LUPIN PHARMACEUTICALS INC.
Petitioners

v.

SENJU PHARMACEUTICAL CO., LTD., BAUSCH & LOMB, INC., and
BAUSCH & LOMB PHARMA HOLDINGS CORP.
Patent Owner

IPR2015-01097 (US Patent No. 8,751,131)
IPR2015-01099 (US Patent No. 8,669,290)
IPR1015-01100 (US Patent No. 8,927,606)
IPR2015-01105 (US Patent No. 8,871,813)¹

DECLARATION OF CHIEMI SUZUKI

¹ The word-for-word identical paper is filed in each proceeding identified in the heading.

I, Chiemi Suzuki, declare as follows:

1. I am a counsel at the firm Crowell & Moring, LLP, where my practice focuses on patent-related matters, and in particular, patent litigation in the pharmaceutical field.

2. I am a member in good standing of the State Bars of New York and California.

3. I have over 11 years' experience litigating patents in the pharmaceutical field, including the following cases in the U.S. District Court for the District of Delaware, and the U.S. District Court for the Northern District of California:

- *Noven Pharmaceuticals, Inc. v. Actavis Laboratories UT, Inc.*, No. 15-249-LPS (D. Del.),
- *Cephalon, Inc. v. Actavis Laboratories FL, Inc. et al.*, No. 14-776 (D. Del.),
- *Pfizer Inc. et al. v. Actavis Laboratories FL, Inc.*, No. 11-914 (D. Del.),
- *Par Pharmaceutical, Inc. & Handa Pharmaceuticals, LLC v. Takeda Pharmaceutical Co., Ltd. et al.*, No. 5:13-1927 (N.D. Cal.),
- *Takeda Pharmaceutical Co., Ltd. et al. v. Handa Pharmaceuticals, LLC and Par Pharmaceutical, Inc.*, No. 3:11-840 (N.D. Cal.), and

Cephalon, Inc. v. Watson Pharmaceuticals, Inc. et al., Nos. 08-330
and 09-724 (D. Del.).

4. I have not been suspended or disbarred from practice before any court or administrative body.

5. I have not been denied admission to practice before any court or administrative body.

6. I have never been sanctioned or cited for contempt by any court or administrative body.

7. I have not applied to appear pro hac vice for any proceeding before the Office in the last three (3) years.

8. I am familiar with the subject matter of these proceedings. I have read, reviewed and am familiar with the subject matter in U.S. Pat. Nos. 8,751,131 (“the ‘131 patent”), 8,669,290 (“the ‘290 patent”), 8,927,606 (“the ‘606 patent”) and 8,871,813 (“the ‘813 patent”). In addition, I am familiar with the underlying technology. Additionally, I have read and am familiar with the Petitions and exhibits filed by Petitioners relating to these four patents.

9. Given my familiarity with the underlying facts and my litigation experience, I have experience and expertise important to representing Petitioners Lupin Ltd. and Lupin Pharmaceuticals Inc. in these proceedings.

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 37 C.F.R.

11. I will comply with and be subject to the United States Patent and Trademark Office 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).

I declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code.

Respectfully submitted,

DATE 2/4/16



Chiemi Suzuki
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