UNITED STATES PATENT AND TRADEMARK OFFICE
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BEFORE THE PATENT TRIAL AND APPEAL BOARD
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COALITION FOR AFFORDABLE DRUGS VI LLC

PETITIONER

V.

CELGENE CORPORATION

PATENT OWNER

_____

CASE IPR2015-01103

PATENT NO. 6,315,720

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**DECLARATION OF PAUL J. SKIERMONT
IN SUPPORT OF PETITIONER'S UNOPPOSED MOTION FOR *PRO HAC
VICE* ADMISSION OF PAUL J. SKIERMONT AS BACK-UP COUNSEL**

I, Paul J. Skiermont, declare as follows:

1.   I am a member of good standing with the Texas State Bar (2001) (Bar No. 24033073) and the Illinois State Bar (2002) (Bar No. 06278464). I am admitted to practice in the U.S. Courts of Appeals for the Federal and Eighth Circuits; the U.S. District Courts for the Northern, Eastern, and Western District of Texas; the U.S. District Court for the Northern District of Illinois; the U.S. District Court for the District of Nebraska; the U.S. District Court for the District of Colorado; the U.S. District Court for the Eastern District of Michigan; the U.S. District Court for the Southern District of Ohio; and the U.S. District Court for the Northern District of New York.

2.   I have applied to appear *pro hac vice* before the Office in one other proceeding within the last three years. On March 3, 2015, I applied to appear *pro hac vice* in *Coalition For Affordable Drugs (ADROCA) LLC v. Acorda Therapeutics*, IPR2015-00720, and that application was granted on August 21, 2015 (*see* IPR2015-00720, Paper 13).

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.

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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 Puckett LLP, and is a registered patent practitioner.

9. I am an experienced litigation attorney with over 13 years of litigation experience, including 13 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 lead counsel or co-lead counsel in the following representative pharmaceutical patent matters:

- *Laboratoire HRA Pharma v. Teva Pharmaceuticals USA, Inc.*, C.A. No. 15-cv-45-RGA (District of Delaware) (lead counsel);

- *Andrulis Pharmaceuticals Corp. v. Celgene Corp.*, C.A. No. 13-cv-01644-RGA (District of Delaware) (lead counsel), 15-1962 (Federal Circuit) (lead counsel);

- *In re Loestrin 24 Fe Antitrust Litigation*, C.A. No. 1:13-md-2472-S (MDL, District of Rhode Island) (co-lead counsel);

- *Bayer Schering Pharma AG v. Watson Laboratories, Inc., et al.*, C.A. No. 7-cv-01472-KJD-GWF (District of Nevada) (lead counsel), 12-1397 (Federal Circuit) (co-lead counsel);

- *Coalition For Affordable Drugs (ADROCA) LLC v. Acorda Therapeutics*, (PTAB), Case No. IPR2015-00720 (back-up counsel);

- *Bayer Schering Pharma AG & Bayer HealthCare Pharmaceuticals Inc. v. Teva, et al.*, C.A. No. 10-cv-03697 (Northern District of Illinois) (co-lead counsel).

10.   Based in part on the aforementioned experience, I have received the following awards and recognition for my patent litigation work:

- **LMG Life Sciences/Managing IP "Life Sciences Star – Patent Litigation" (2013, 2014, 2015)** (LMG states this recognition was based on more than 1,000 online survey responses, interviews with nearly 600 attorneys, and a review of public information and feedback from clients within the industry; in 2013, one of 5 Texas attorneys and one of 200 attorneys nationwide to be recognized in this category; in 2014, one of 6 Texas attorneys and one of 220 attorneys nationwide to be recognized in this

category; in 2015, one of 6 Texas attorneys and one of 280 attorneys nationwide to be recognized in this category).

- **Intellectual Asset Managers ("IAM") Patent 1000: The World's Leading Patent Practitioners – Patent Litigation (2014, 2015)** (IAM states the research used to compile the list was conducted over several months by a team of full-time analysts, and involved more than 1,500 interviews with patent specialists across the globe; in 2015 one of 12 Texas attorneys to receive a Gold band ranking in this category).

11.   I am one of the two founders of Skiermont Puckett LLP, the firm that filed CFAD's Petition for *Inter Partes* Review of U.S. Patent No. 6,315,720 ("Petition"), and 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 lead counsel in litigation against Celgene in *Andrulis Pharmaceuticals Corp. v. Celgene Corp.*, C.A. No. 13-cv-01644-RGA (District of Delaware) (currently on appeal to the Federal Circuit; Case No. 2015-1962). Celgene's REMS distribution program that at least in part appears to be claimed in U.S. Patent No. 6,315,720 ("'720 Patent") is at issue in the *Andrulis* matter in connection with my client's allegation that Celgene directly or indirectly infringes Andrulis Pharmaceuticals' patent-in-suit.

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