

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

JOHNSON MATTHEY INC., and JOHNSON MATTHEY PLC,
Petitioners

v.

BASF CORPORATION,
Patent Owner

Case IPR2015-01266
Patent 9,039,982

**DECLARATION OF DOUGLAS E. MCCANN IN SUPPORT OF JOHNSON
MATTHEY, INC.'S UNOPPOSED MOTION FOR *PRO HAC VICE*
ADMISSION**

I, Douglas E. McCann, hereby attest to the following:

1. I am a member in good standing of the state Bar of Delaware, the U.S. District Court for the District of Delaware, the U.S. Court of Appeals for the Federal Circuit, and the U.S. Court of Appeals for the Third Circuit.
2. I have not been suspended or disbarred from practice before any court or administrative body.
3. I have never had an application for admission to practice before any court or administrative body denied.
4. No sanction or contempt citation has been imposed against me by any court or administrative body.
5. 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 the Code of Federal Regulations.
6. I will be subject to the USPTO 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).
7. I have not applied to appear *pro hac vice* before the Office in any other proceedings during the past three years. I am concurrently applying to appear *pro hac vice* before the Office in each of the following proceedings: IPR2015-01265 and IPR2015-01267.

8. I am an experienced litigation attorney with more than 7 years of experience representing clients in patent cases involving pharmaceuticals, life sciences, medical devices, and portable electronic devices. I regularly litigate patent cases in various forums including federal district courts, the United States Court of Appeals for the Federal Circuit, and the International Trade Commission. Before focusing on patent law, I served as an Assistant U.S. Attorney for over five years in the District of Delaware, litigating criminal and civil cases. Through my years of practice, I have represented clients in many phases of litigation including discovery, *Markman* hearings, jury trials, bench trials, and appeals. My biography is attached hereto as Appendix A. I serve as lead counsel for Johnson Matthey, Inc. in *BASF, Inc. v. Johnson Matthey, Inc.*, Civil Action No. 14-1204 SLR-SRF now pending in the District of Delaware and also involving emissions control technology.

All statements made herein of my own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 35 U.S.C. § 1001.

Respectfully submitted,

Date: February 3, 2016

/s/ Douglas E. McCann

Douglas E. McCann
Fish & Richardson P.C.
3200 RBC Plaza
60 South Sixth Street
Minneapolis, MN 55402
Tel: 404-724-2845
Email: dmccann@fr.com

APPENDIX A

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