

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MYLAN PHARMACEUTICALS INC.,  
WOCKHARDT BIO AG,  
TEVA PHARMACEUTICALS USA, INC.,  
AUROBINDO PHARMA U.S.A., INC.,  
Petitioners,

v.

ASTRAZENECA AB,  
Patent Owner.

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Case: IPR2015-01340<sup>1</sup>  
U.S. Patent No. RE44,186

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**DECLARATION OF DANIEL M. SILVER IN SUPPORT OF  
PATENT OWNER ASTRAZENECA AB'S UNOPPOSED MOTION FOR  
*PRO HAC VICE* ADMISSION**

<sup>1</sup> Petitioner Wockhardt from IPR2016-01029, Petitioner Teva from IPR2016-01122, and Petitioner Aurobindo from IPR2016-01117 have been added as Petitioners to this proceeding.

I, Daniel M. Silver, declare the following:

1. I am a partner in the law firm of McCarter & English, working in the firm's office in Wilmington, Delaware.
2. I am a member in good standing of the Delaware Bar.
3. My Delaware Bar member number is 4758.
4. I have never been suspended or disbarred from practice before any court or administrative body.
5. I have never had a court or administrative body deny my application for admission to practice.
6. I have not applied to appear *pro hac vice* in any other Patent Trial and Appeal Board ("PTAB"), or United States Patent and Trademark Office ("USPTO"), proceeding over the last three years.
7. I have never had any court or administrative body impose sanctions or contempt citations against me.
8. I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials, as set forth in Part 42 of the Code of Federal Regulations.
9. I agree to be subject to the United States Patent and Trademark Office Code of Professional Responsibility set forth in 37 C.F.R. §§ 10.20 *et seq.*, 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).

10. I am an experienced litigation attorney, with experience in many patent infringement litigations in District Courts, including experience with fact and expert document and deposition discovery, claim construction, *Markman* hearings, motion practice, and trials and hearings.

11. I am co-counsel for Patent Owner AstraZeneca AB in the ongoing consolidated litigation captioned *AstraZeneca AB v. Aurobindo Pharma Ltd.*, 14-cv-00664 (D. Del. 2014) (“the co-pending litigation”) and have been actively involved in the co-pending litigation, which relates to and involves the same patent at issue in this proceeding, RE44,186. I am familiar with the subject matter at issue in this proceeding as a result of my representation of Patent Owner AstraZeneca AB in the co-pending litigation. For example, I directed and cross-examiner the financial experts of both parties during the September 2016 trial of the co-pending litigation. I have significant knowledge of the financial issues that are relevant to both this proceeding and the co-pending litigation.

12. I hereby declare that all statements herein of my own 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 the knowledge that willful false

and the like are punishable by fine, imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Dated: November 16, 2016

Respectfully Submitted,



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