

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re *Inter Partes* Review of:                    )  
U.S. Patent No. 7,297,703                        )  
Issued: Nov. 20, 2007                            )  
Application No.: 11/020,860                    )  
Filing Date: Dec. 23, 2004                    )

For: **Macrolides**

**FILED VIA PRPS**

**DECLARATION OF ERIC J. BENJAMIN, PH.D. IN SUPPORT OF  
PETITION FOR *INTER PARTES* REVIEW  
OF U.S. PATENT NO. 7,297,703**

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I, Eric J. Benjamin, resident of Jamestown, North Carolina, hereby declare as follows:

**I. INTRODUCTION AND QUALIFICATIONS**

1. I have been retained by Par Pharmaceutical, Inc. (“Par”) to provide my opinions concerning the invalidity of claims 1-3, 6-9, and 11 (the “challenged claims”) of U.S. Patent No. 7,297,703 (Ex. 1001, the “’703 Patent”) in support of Par’s Petition for *Inter Partes* Review of U.S. Patent No. 7,297,703 (the “’703 Petition”). I have not previously been employed or retained by Par in any capacity.

2. I have worked in the pharmaceutical industry for forty years and retired in 2011 as the Vice President of Pharmaceutical Development at TransTech Pharma in High Point, North Carolina. At TransTech, I was responsible for all chemistry and manufacturing control activities related to drug substance and drug products being conducted in-house and at contract organizations. My responsibilities included discovery support, manufacturing and testing of drug substances, pre-formulation and formulation studies, the development of analytical methods and testing of drug products, preparation and packaging of clinical trial materials, and preparation of chemistry and manufacturing control regulatory submissions. Since beginning at TransTech in 2003, I have also served as the Director and Senior Director of Pharmaceutical Development.

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