

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

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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ARGENTUM PHARMACEUTICALS LLC,  
Petitioner,

v.

RESEARCH CORPORATION TECHNOLOGIES, INC.,  
Patent Owner.

Case No. IPR2016-00204  
Patent No. RE 38,551

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**DECLARATION OF  
CHRISTOPHER A. VELLTURO, PH.D.  
IN SUPPORT OF PATENT OWNER RESPONSE**

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I, Christopher A. Velluro, hereby declare and state as follows:

## **I. Introduction and Summary**

1. I have been retained as a consultant on behalf of Research Corporation Technologies, Inc. (“RCT”), the patent owner in the present proceeding. I understand that the petition names Argentum Pharmaceuticals LLC (“Argentum”) as the petitioner, and that Intelligent Pharma Research LLC, APS GP LLC, and APS GP Investors LLC have been identified as real parties-in-interest. I further understand that KVK-TECH, Inc. has also been identified as a potential real party-in-interest. I have no financial interest in, or affiliation with, the petitioner, the identified actual or potential real parties-in-interest, or the patent owner. Quantitative Economic Solutions, LLC, a consulting firm of which I am the founder and president, is being compensated for my work at my usual and customary consulting rate of \$850.<sup>1</sup> QES's compensation is not dependent upon the outcome of, or my testimony in, the present *inter partes* review or any litigation proceedings.

2. I have been asked to evaluate the commercial success of the drug

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<sup>1</sup> QES is also compensated for the time spent on this matter by persons working at my direction. Those rates are generally lower than my hourly rate.

lacosamide – marketed by UCB, Inc. ("UCB") as VIMPAT<sup>®</sup> – and the extent to which VIMPAT<sup>®</sup>'s commercial success is causally linked to the patent claims in U.S. Patent No. RE 38,551 ("the '551 patent").

**A. Qualifications and Experience**

3. My qualifications and experience relevant to the issues in this proceeding are summarized below. My *curriculum vitae* is submitted herewith as Exhibit 2133.

4. I am the founder and president of Quantitative Economic Solutions, LLC, a microeconomic consulting firm. I received a Doctor of Philosophy degree (Ph.D.) in Economics from the Massachusetts Institute of Technology in Cambridge, Massachusetts in 1989. My fields of specialization include industrial organization and econometrics.

5. I have extensive experience in the valuation of intellectual property and in the assessment of economic injury/damages sustained as a result of copyright, trademark, and/or patent infringement. Industries that I have studied in this context include: pharmaceutical products, over-the-counter medications and instruments, medical devices, consumer products, computer hardware and software, and semiconductors. I have also evaluated pharmaceutical patent issues in the context of commercial success and injunctive relief considerations on

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