

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

SANDOZ INC.,  
Petitioner,

v.

ELI LILLY & COMPANY,  
Patent Owner.

---

Case No: IPR2016-00318  
Patent No. 7,772,209

---

**DECLARATION OF DAVID M. KRINSKY**

Pursuant to 28 U.S.C. § 1746, I, David M. Krinsky, hereby declare as follows:

1. My name is David M. Krinsky. I am over eighteen years of age, of sound mind, and in all ways qualified and competent to make this declaration. I have personal knowledge of the facts contained in this declaration and they are true and correct.

2. I am a Partner at the law firm of Williams & Connolly LLP, counsel for Eli Lilly & Company. I am a member in good standing of the Bar of the State of Maryland and the Bar of the District of Columbia, and am admitted to practice before the United States Patent and Trademark Office (Registration No. 72,339).

3. Exhibit 2116 is a true and correct copy of excerpts from the trial transcript in *Eli Lilly and Company v. Teva Parenteral Medicines, Inc. et al.*, No. 10-cv-01376-TWP-DKL (S.D. Ind.), dated August 22, 2013. The excerpts included in Exhibit 2116 are from the direct examination of Dr. Clet Niyikiza. I was counsel of record for Eli Lilly & Company at this trial and was present in the courtroom during Dr. Niyikiza's testimony.

4. Exhibit 2111 is a true and correct copy of trial exhibit number 64 (TX-64), which was referenced in the excerpt referred to in paragraph 3 of this declaration.

5. Exhibit 2112 is a true and correct copy of trial exhibit number 312 (TX-312), which was referenced in the excerpt referred to in paragraph 3 of this declaration.

6. Exhibit 2113 is a true and correct copy of trial exhibit number 74 (TX-74), which was referenced in the excerpt referred to in paragraph 3 of this declaration.

7. I hereby declare that all statements made 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 statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the results of these proceedings.

Date: September 30, 2016

By: 

David M. Krinsky  
Williams & Connolly LLP  
725 Twelfth St. NW  
Washington, DC 20005  
Phone: 202-434-5338  
Facsimile: 202-434-5029  
E-mail: dkrinsky@wc.com