

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LOWER DRUG PRICES FOR CONSUMERS, LLC

PETITIONER

V.

FOREST LABORATORIES HOLDINGS LIMITED

PATENT OWNER

CASE NO.: IPR2016-00379

PATENT NO. 6,545,040

FILED: JANUARY 24, 1992

ISSUED: 4/8/2003

INVENTORS: XHONNEUX AND VAN LOMMEN

TITLE: METHOD OF LOWERING THE BLOOD PRESSURE

**DECLARATION OF DONALD PUCKETT IN SUPPORT OF UNOPPOSED
MOTION FOR *PRO HAC VICE* ADMISSION**

LOWER DRUG PRICES FOR CONSUMERS, LLC

I, Donald Puckett, declare as follows:

1. I am more than twenty-one years of age, am competent to present this declaration, and have personal knowledge of the facts set forth herein.

2. I have been practicing law in the field of intellectual property, and specifically patent litigation, for more than fifteen years. I am also an Adjunct Professor at Texas A&M School of Law where I have taught classes related to patent litigation practice.

3. I have extensive experience litigating patent infringement cases in many different district courts across the United States. My experience in patent litigation matters includes, but is not limited to: presenting oral arguments to the Board in IPR proceedings; serving as lead trial counsel in district court patent litigation; presenting oral arguments to the court in claim construction hearings and other patent-related hearings; taking depositions of expert witnesses regarding invalidity, infringement, and claim construction; drafting claim construction briefs; drafting briefs associated with motions for summary judgments regarding invalidity and infringement issues; drafting invalidity and infringement contentions; and handling patent appeals before the United States Court of Appeals for the Federal Circuit.

4. I am a member in good standing of the State Bar of Texas. I am also admitted to practice before the U.S. Court of Appeals for the Federal Circuit, the

United States District Court for the Eastern District of Texas, and the United States District Court for the Northern District of Texas, among other courts.

5. I have never been suspended or disbarred from practice before any court or administrative body. I have never been the subject of any ethical grievance procedure or investigation.

6. No court or administrative body has ever denied my application for admission to practice before it.

7. I have never had any sanctions or contempt citations imposed against me by any court or administrative body.

8. 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 Title 37 of the C.F.R.

9. I agree to be subject to the USPTO Rules of Professional Conduct as set forth in 37 C.F.R. §§ 11.101 *et seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

10. I have appeared before the Board *pro hac vice* in the last three years in years in: (1) IPR2014-00411 and IPR2015-00065 (consolidated), and (2) IPR2014-01431 and IPR2014-01432 (consolidated). I presented oral arguments to the Board in both of these consolidated cases. *See* IPR2014-00411 at Paper No. 112; IPR2014-01431 at Paper No. 47.

11. I have an established familiarity with the subject matter at issue in this proceeding. I personally played a lead role in drafting the Petition for *Inter Partes* Review filed in this matter on behalf of Petitioner Lower Drug Prices for Consumers, LLC. I have substantively reviewed all materials filed in this *Inter Partes* Review, including the Petition for *Inter Partes* Review and all accompanying exhibits (1001-1053). I am thus very familiar with the subject matter in this proceeding.

12. I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted,



January 20, 2015

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