

UNITED STATES PATENT AND TRADEMARK OFFICE

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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LUPIN LIMITED  
AND LUPIN PHARMACEUTICALS INC.,  
Petitioners

v.

iCEUTICA PTY LTD.

Patent Owner

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Case No. IPR2016-00397  
U.S. Patent No. 8,999,387

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**DECLARATION OF WILLIAM R. ZIMMERMAN IN SUPPORT OF  
MOTION TO APPEAR *PRO HAC VICE* ON BEHALF OF PETITIONERS**

LUPIN EX 1039

I, William R. Zimmerman, do hereby declare:

1. I am a partner in the law firm of Knobbe Martens Olson & Bear, LLP. Lead counsel in this *inter partes* review proceeding is Christy G. Lea, who is also a partner in the law firm of Knobbe Martens Olson & Bear, LLP. Ms. Lea is registered to practice before the United States Patent and Trademark Office and holds Registration No. 51,754. With respect to this proceeding, I will work closely with Ms. Lea.

2. I have over 16 years of experience as a patent litigator and have represented clients in numerous patent litigation cases in various United States District Courts and the Court of Appeals for the Federal Circuit. I also have experience in *inter partes* review proceedings, for example, IPR2013-00024, IPR2013-00128, IPR2013-00266, IPR2013-00517, IPR2013-00518, IPR2014-01093, IPR2015-00265, and IPR2015-00268.

3. I am comfortable and experienced with technically and legally complex matters, such as will be present in this proceeding. In particular, I am experienced with technically and legally complex matters in the field of chemistry and biotechnology. In addition to my experience with technically and legally complex patent matters, I hold a Bachelor of Science degree in Chemical Engineering from the University of Notre Dame. I also served as a law clerk to the

Honorable Alvin A. Schall, Circuit Judge of the United States Court of Appeals for the Federal Circuit.

4. I am familiar with U.S. Patent No. 8,999,387 and with the legal subject matter, technical subject matter, and prior art discussed in Petitioners' request for *inter partes* review of U.S. Patent No. 8,999,387, which forms the basis for this proceeding. In view of my legal experience, technical background, and familiarity with the issues in the present matter, Petitioners have requested my services in the present matter. Denial of my appearance in this case would create an undue burden on Petitioners.

5. I am a member in good standing of the Bar of the State of California and the Bar of the District of Columbia. I am admitted to practice before the Supreme Court of the United States and before the United States Court of Appeals for the Federal Circuit.

6. I have never been suspended or disbarred from practice before any court or administrative body.

7. I have never had a court or administrative body deny my application for admission to practice.

8. I have never been sanctioned or cited for contempt by any court or administrative body.

9. 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 the Code of Federal Regulations.

10. I agree to be subject to the United States Patent and Trademark Office 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).

11. In the past three (3) years, I have appeared pro hac vice in proceedings before the United States Patent and Trademark Office in the matter of *Ranbaxy Laboratories Ltd. and Ranbaxy Inc. v. Vertex Pharmaceuticals, Inc.*, IPR2013-00024; in the matters of *Intelligent Rio-Systems, Inc. v. Illumina Cambridge Ltd.*, IPR2013-00128, IPR2013-00266, IPR2013-00517, and IPR2013-00518; in the matter of *Ariosa Diagnostics, Inc. v. Illumina, Inc.*, IPR2014-01093; and in the matters of *Mylan Pharms., Inc. v. Novartis AG and LTS Lohman Therapie-Systeme AG*, IPR2015-00265 and IPR2015-00268.

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12. I 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 were 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.

Dated: 3/17/16

W. R. Zimmerman  
William R. Zimmerman