

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LUPIN LTD. and LUPIN PHARMACEUTICALS, INC.
Petitioner,

v.

HORIZON THERAPEUTICS, INC.
Patent Owner

Case IPR2016-00829
Patent 9,095,559 B2

**AFFIDAVIT OF ROBERT V. CERWINSKI IN
SUPPORT OF MOTION FOR *PRO HAC VICE* ADMISSION**

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

LUPIN EX. 1024

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

2. This affidavit is given in support of Petitioners' Motion for *Pro Hac Vice* Admission.

3. I am a partner with the law firm of Goodwin Procter LLP.

4. I am an experienced litigation attorney. I have been litigating patent cases for nearly nineteen years. I have been practicing law since 1997 and have extensive experience litigating patent infringement cases in many different courts across the United States.

5. My experience in patent litigation matters includes patent jury trials, including opening statements, closing arguments, presentation of non-expert and expert-testimony, arguing Markman hearings, patent summary judgment proceedings, and other patent-related hearings and pleadings concerning, *inter alia*, patent validity and infringement issues. I have also represented clients' appeals before the Court of Appeals for the Federal Circuit resulting from cases I tried and in other cases.

6. I have an established familiarity with the subject matter at issue in this proceeding. I have reviewed the Petition and accompanying exhibits filed in this proceeding and all other papers associated with this proceeding. As part of this

proceeding, I have studied U.S. Patent 9,095,559 (“the ’559 patent”). I am also counsel of record in litigation in which the ’559 patent, as well as patents related to the ’559 patent, and other patents owned by Horizon Therapeutics, Inc. relating to methods of using glyceryl tri-[4-phenylbutyrate] to treat subjects with urea cycle disorders are being asserted. *Horizon Therapeutics, Inc. v. Lupin Ltd.*, 1-15-cv-07624, 1-16-cv-04438(D.N.J.) (currently stayed).

7. I am a member in good standing of the Bar of the State of New York and am admitted to practice before the United States District Court for the Southern District of New York and the United States Court of Appeals for the Federal Circuit.

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

9. No application of mine for admission to practice before any court or administrative body has ever been denied.

10. No sanctions or contempt citations have been imposed against me by any court or administrative body.

11. 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 37 C.F.R.

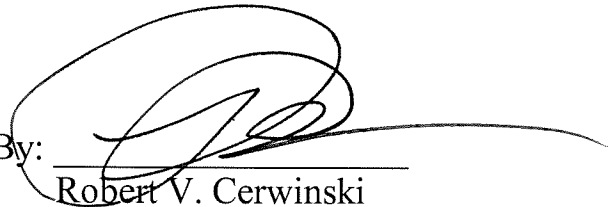
12. I understand that I will be subject to the USPTO Code of Professional Conduct set forth in 37 C.P.R.§§ 10.101 et seq. and disciplinary jurisdiction under

37 C.P.R. §11.19(a).

13. I have applied to appear *pro hac vice* in the following proceedings before the Office in the last three years: IPR2015-01566 (granted), IPR2015-01571 (action terminated before ruling), IPR2015-01572 (action terminated before ruling), IPR2015-01570 (action terminated before ruling), IPR2015-01733 (action terminated before ruling), and IPR2015-01744 (action terminated before ruling), and IPR2016-01614 (pending).

Dated: December 21, 2016

Respectfully submitted,

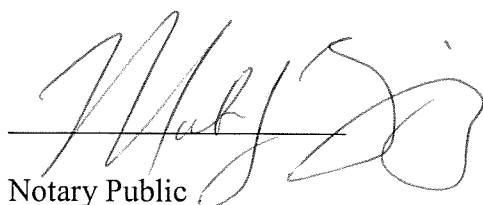
By: 
Robert V. Cerwinski

GOODWIN PROCTER LLP

Subscribed and sworn to

Before me this 21st day of

December, 2016


Notary Public

My commission expires: Feb. 28, 2019

MATTHEW JAMES BAILEY
Notary Public, State of New York
No. 01BA6236284
Qualified in Queens County
Commission Expires February 28, 2019