

Date Filed: February 2, 2017

Filed On Behalf Of:

Alkermes Pharma Ireland Limited and
Alkermes Controlled Therapeutics, Inc.

By:

Scott K. Reed
sreed@fchs.com
212-218-2100

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LUYE PHARMA GROUP LTD., LUYE PHARMA (USA) LTD., SHANDONG
LUYE PHARMACEUTICAL CO., LTD., and NANJING LUYE
PHARMACEUTICAL CO., LTD.,

Petitioners,

v.

ALKERMES PHARMA IRELAND LTD and ALKERMES CONTROLLED
THERAPEUTICS, INC.,
Patent Owners.

Case IPR2016-01096
U.S. Patent No. 6,667,061

**DECLARATION IN SUPPORT OF PATENT OWNERS' MOTION
FOR *PRO HAC VICE* ADMISSION OF CHRISTINA SCHWARZ
UNDER 37 C.F.R. § 42.10**

ALKERMES Exh. 2011
Luye v. Alkermes

1. I, Christina Schwarz, 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. This declaration is given in support of Patent Owners' Motion for *Pro Hac Vice* Admission of Christina Schwarz.

3. I am a partner at the law firm of Fitzpatrick, Cella, Harper & Scinto in the New York office.

4. I have been a patent litigation attorney for more than nine years. I have been litigating patent cases for this entire time period and have been involved in numerous cases involving patent validity and infringement in District Courts across the country and the Federal Circuit. I have extensive experience in bench trials. A significant portion of my work has involved biological and chemical arts, with particular emphasis on pharmaceuticals. I am, therefore, an experienced litigating attorney.

5. I am a member in good standing of the bars of the State of New York and the Province of Ontario. I have never been suspended or disbarred from practice before any court or administrative body.

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

7. No court or administrative body has ever imposed sanctions or contempt citations on me.

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 37 C.F.R.

9. I understand that I will be subject to the Office's 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).

10. I applied to appear and was admitted *pro hac vice* in three other proceedings before the Office in the last three (3) years: IPR2013-00534, IPR2013-00537, IPR2016-00084.

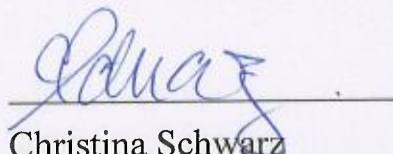
11. I have an established familiarity with the subject matter at issue in this proceeding. I have been involved consistently and substantively in this *inter partes* review proceeding since its inception in May 2016 and was engaged by Patent Owners to work on the proceeding from its outset. I have read in detail and understand the Petition filed by Petitioners and the challenged patent, U.S. Patent No. 6,667,016 ("the '061 patent"). I have also reviewed in detail all the exhibits relied upon by Petitioners in this proceeding.

12. I have engaged in extensive strategic and substantive discussions regarding this proceeding with Scott K. Reed, who is the lead counsel for Patent Owners; Justin Oliver, who is designated as back-up counsel for Patent Owners; and Ha Kung Wong, Melinda R. Roberts, and Una Fan, who are concurrently seeking *pro hac vice* admission to appear in this proceeding.

13. Therefore, I have an established familiarity with the subject matter at issue in this proceeding.

14. I declare further 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, and that such willful false statements may jeopardize the validity of the '061 patent.

Executed on February 1, 2017



Christina Schwarz
FITZPATRICK, CELLA, HARPER & SCINTO
1290 Avenue of the Americas
New York, NY 10104-3800
Tel: (212) 218-2100