

**UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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MYLAN PHARMACEUTICALS INC., TEVA PHARMACEUTICALS USA,  
INC., and AKORN INC.,<sup>1</sup>  
Petitioners,

v.

ALLERGAN, INC.,  
Patent Owner.

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Case IPR2016-01127 (8,685,930 B2)  
Case IPR2016-01128 (8,629,111 B2)  
Case IPR2016-01129 (8,642,556 B2)  
Case IPR2016-01130 (8,633,162 B2)  
Case IPR2016-01131 (8,648,048 B2)  
Case IPR2016-01132 (9,248,191 B2)

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**DECLARATION OF DALE WHITE  
IN SUPPORT OF PATENT OWNER'S MOTION TO SEAL**

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<sup>1</sup> Cases IPR2017-00576 and IPR2017-00594, IPR2017-00578 and IPR2017- 00596, IPR2017-00579 and IPR2017-00598, IPR2017-00583 and IPR2017- 00599, IPR2017-00585 and IPR2017-00600, and IPR2017-00586 and IPR2017-00601, have respectively been joined with the captioned proceedings. The word-for-word identical paper is filed in each proceeding identified in the caption pursuant to the Board's Scheduling Order (Paper 10).

I, Dale White, declare as follows:

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

2. This declaration is given in support of Patent Owner's Motion to Seal.

3. I am General Counsel for the Saint Regis Mohawk Tribe.

4. Exhibit 2086 and Exhibit 2087 are the Long-Form Patent Assignment Agreement and License Agreement entered between the Saint Regis Mohawk Tribe and Allergan on September 8, 2017,

5. These agreements both contain confidential business information that would undermine the Tribe's competitive standing in future license negotiations if the terms were made public.

6. Both Agreements also contain Confidentiality and Non-Disclosure Clauses.

7. Because of their confidential nature, both of these documents were made exempt from disclosure under Section 1.9-2(b) of the Saint Regis Mohawk Tribe Open Records Policy and Section XI.3.(b) of the Saint Regis Mohawk Tribal Counsel Procedures Act of 2013 in Tribal Council Resolution 2017-58 that was passed on September 8, 2017.

8. The Tribe has endeavored to redact as little information as possible from the documents to strike a balance between the strong public policy that favors making

information filed in an *inter partes* review open to the public and the confidential nature of the information contained in these documents.

9. To that end, only confidential information that was not cited by any of the parties in the Motion to Dismiss briefing has been redacted.

10. I hereby declare that all statements made herein of my own knowledge are true and further that all statements herein are made with knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Dated: November 16, 2017

By:  \_\_\_\_\_  
Dale White

## CERTIFICATE OF SERVICE

Pursuant to 37 CFR §§ 42.6(e)(4) and 42.205(b), the undersigned certifies that on November 16, 2017, a complete and entire copy of this declaration was provided, via electronic service, to the Petitioners by serving the correspondence address of record as follows:

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