

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APOTEX INC., APOTEX CORP., APOTEX PHARMACEUTICALS
HOLDINGS INC., AND APOTEX HOLDINGS, INC.,

Petitioners,

v.

OSI PHARMACEUTICALS, INC.,
Patent Owner.

Case IPR2016-01284
U.S. Patent No. 6,900,221

**DECLARATION OF TRACEY C. ALLEN IN SUPPORT OF
MOTION FOR ADMISSION *PRO HAC VICE***

I, Tracey C. Allen, declare as follows:

1. I was admitted to the State of Georgia Bar in November 2000 and the District of Columbia Bar in March 2004. I have been practicing law for 16 years. For more than 9 years, my practice has focused primarily on patent litigation.
2. Over the course of my career, I have been counsel in dozens of patent litigations.
3. I am admitted, practicing and in good standing as a member of the Bar of the District of Columbia and am admitted and in good standing as a member of the Bar of the State of Georgia, though currently on inactive status in the latter. I am admitted to practice before the U.S. District Courts for the District of Columbia, the District of Colorado, the Middle District of Georgia and the Northern District of Georgia. I am also admitted to practice before the U.S. Court of Appeals for the Federal Circuit.
4. My District of Columbia Bar membership number is 485474. My Georgia Bar membership number is 112998.
5. I have never been suspended or disbarred from practice before any court or administrative body.
6. I have never had a court or administrative body deny my application for admission to practice.

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

8. I have read and will comply with the Patent Office Trial Practice Guide and the Board's Rules for Practice for Trials, as set forth in 37 C.F.R. Part 42.

9. 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).

10. I have not appeared *Pro Hac Vice* before the Patent Trial and Appeal Board.

11. In addition to this matter, I have represented OSI Pharmaceuticals, LLC and/or its parent company, Astellas, in multiple patent and patent-related matters, including: *OSI Pharmaceuticals, LLC v. Apotex Inc.*, No. 1:15-cv-00772 (D. Del.); *OSI Pharmaceuticals, LLC v. Breckenridge Pharmaceutical, Inc.*, No. 1:15-cv-01063 (D. Del.); *OSI Pharmaceuticals, LLC v. Hetero USA, Inc.*, Case No. 1:17-cv-00665-GMS (D. Del.); and *OSI Pharmaceuticals, LLC v. Sun Pharmaceuticals Industries Inc.*, Case No. 1:17-cv-00666-GMS (D. Del.).

12. I am intimately familiar with the subject matter of U.S. Patent No. 6,900,221. I am also intimately familiar with tyrosine kinase inhibitor technology as a result of my participation as counsel in cases related to such subject matter, including the cases listed in the previous paragraph. In addition, I have represented a

number of life sciences and pharmaceutical companies—including Bristol-Myers Squibb Company; GlaxoSmithKline plc; Pfizer Inc.; Novartis Pharmaceuticals Corp.; Takeda; AstraZeneca; Becton Dickinson, and others—in many patent litigation matters before federal district courts and appellate courts. The technology involved in some of these disputes included methods of treatment using pharmaceutical compounds.

13. I hereby 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 are made with the knowledge that willful false statements and the like are punishable by fine, imprisonment, or both under Section 1001 of Title 18 of the United States Code.

Dated: June 22, 2017

Respectfully submitted,

/Tracey C. Allen/
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