

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KOIOS PHARMACEUTICALS LLC

Petitioner

v.

MEDAC GESELLSCHAFT FUER KLINISCHE SPEZIALPRÄPARATE MBH

Patent Owner

Patent No. 8,664,231

Title: Concentrated Methotrexate Solutions

Declaration of Kayvan B. Noroozi

I, Kayvan B. Noroozi, declare the following:

1. Koios Pharmaceuticals LLC (“Koios”) is a generic pharmaceutical company launched in 2015. Koios is a Delaware limited liability company. It is neither a hedge fund, litigation finance fund, nor an investment vehicle. Koios’s mission is to increase Americans’ access to affordable pharmaceuticals by promoting generic competition. To that end, Koios challenges pharmaceutical patents that claim public knowledge for private profit.

2. I am the sole member of Koios and its President and CEO. No person other than myself, and no entity other than Koios, has authority to direct or control any decisions or activities relating to Koios, this Petition, or proceedings related to this Petition. All of the costs associated with the Petition are expected to be borne by Koios. Although Koios has entered into a partnership with a pharmaceutical company for the development and commercialization of a generic equivalent to Rasuvo, this Petition was not brought at the behest of any person or entity other than Koios, and is entirely under Koios’s control. Moreover, Koios is not in privity with, and has no relation to, either Frontier or Antares.

3. I declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to

IPR2016-01370
U.S. Patent No. 8,664,231

Noroozi Declaration

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

Dated: 7/18/2016

By: Kaybony