

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KOIOS PHAMRACEUTICALS LLC

Petitioner

v.

MEDAC GESELLSCHAFT FÜR KLINISCHE
SPEZIALPRÄPARATE MBH

Patent Owner

Inter Partes Review Case No. IPR2016-01370
Patent Number 8,664,231

**DECLARATION OF TERRI SHOEMAKER IN SUPPORT OF PATENT
OWNER'S PRELIMINARY RESPONSE**

I, Terri Shoemaker, make the following Declaration pursuant to
28 U.S.C. § 1746:

1. I am President and Chief Executive Officer of Medac Pharma, Inc.,
which is the U.S. subsidiary of Patent Owner and a real party-in-interest. I have
worked at Medac Pharma, Inc. since July 2012, serving in this role the entire time.

2. I provide this Declaration in connection with the above-identified Inter Partes Review proceeding that is being requested at the United States Patent and Trademark Office. Unless otherwise stated, the facts stated in this Declaration are based on my personal knowledge.

3. Exhibit 2007 hereto is a true and correct copy of a Consulting Agreement between Medac Pharma, Inc. and Dr. Michael Schiff, M.D., executed September 7, 2012, and which I received from Dr. Schiff on that date. Medac Pharma, Inc. retained a copy of this executed Consulting Agreement in the ordinary course of business. Page numbers and an exhibit label have been added to the bottom of this document but no other alterations have been made.

4. Exhibit 2008 hereto is a true and correct copy *with redactions* of an October 5, 2012 Overview & Meeting Objectives memo summarizing the September 29, 2012 Advisory Board Meeting. This was created by Colleen Doyle, Otis Communication, which was employed by Medac for organizing and memorializing the September 29, 2012 Advisory Board Meeting. Colleen attended the meeting. Ex.2008 at 5. The memo was made within one week of the meeting itself and received by me on October 5, 2012, consistent with Medac's regular practice of memorializing such meetings. Medac Pharma, Inc. retained a copy of this executed Consulting Agreement in the ordinary course of business. Page

numbers and an exhibit label have been added to the bottom of this document but no other alterations have been made.

5. I attended the September 29, 2012 Advisory Board Meeting on behalf of Medac Pharma, Inc. Ex.2008 at 5. I witnessed Dr. Michael Schiff, M.D. in attendance at the September 29, 2012 Advisory Board Meeting and interacted with him there.

6. During the September 29, 2012 Advisory Board Meeting, Dr. Schiff was provided Medac's Confidential Information, including Confidential Information relating to the invention of U.S. Patent 8,664,231.

7. I have been informed that willfully false statements are punishable by fine or imprisonment, or both. I make this declaration of my own personal knowledge, and all statements are true. If called to testify as to the truth of the matters stated herein, I could and would testify competently.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 10 day of November, 2016, at Leawood, KS.



Terri Shoemaker