

Filed: July 18, 2017

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ACRUX DDS PTY LTD. & ACRUX LIMITED
Petitioners,

v.

KAKEN PHARMACEUTICAL CO., LTD. and
VALEANT PHARMACEUTICALS INTERNATIONAL, INC.,
Patent Owner and Licensee

Case: IPR2017-00190
U.S. Patent No. 7,214,506

DECLARATION OF BARBARA R. RUDOLPH, PH.D.
IN SUPPORT OF PATENT OWNER'S UNOPPOSED MOTION FOR
***PRO HAC VICE* ADMISSION**

I, Barbara R. Rudolph, Ph.D., declare the following:

1. I am a partner with the law firm of Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, working in the firm's office in Washington, DC.
2. I am a member in good standing of the Pennsylvania Bar. My Pennsylvania Bar member number is 71608.
3. I am also a member in good standing of the District of Columbia Bar. My District of Columbia Bar member number is 450039.
4. Further, I am a member in good standing of the Colorado Bar. My Colorado Bar member number is 48231.
5. I have not been suspended or disbarred from practice before any court or administrative body, except that I understand that I was temporarily suspended in 2005 from the District of Columbia Bar for the inadvertent non-payment of dues. I understand that I was shortly thereafter reinstated.
6. I have never had a court or administrative body deny my application for admission to practice.
7. I have not applied to appear *pro hac vice* before any other Patent Trial and Appeal Board ("PTAB"), or United States Patent and Trademark Office ("USPTO"), proceeding over the last three years.
8. I have never had any court or administrative body impose sanctions or contempt citations against me.

9. I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials, as set forth in Part 42 of the Code of Federal Regulations.

10. I agree to be subject to the United States Patent and Trademark Office Code of Professional Responsibility set forth in 37 C.F.R. §§ 10.20 *et seq.*, 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).

11. I am an experienced litigation attorney with extensive experience with issues related to pharmaceutical matters, such as the subject of the patent at issue, U.S. Patent No. 7,214,506 ("the '506 patent"). I have extensive experience in many patent infringement litigations in federal district courts, including experience with fact and expert document and deposition discovery, claim construction, *Markman* hearings, motion practice, trials, and hearings.

12. I am familiar with the subject matter at issue in this proceeding, including the '506 patent. I have reviewed the patent and its prosecution history. I am familiar with the petition, the asserted references, Dr. Walters' expert declaration, and other papers that have been filed in this proceeding. I have also worked intimately with the preparation of declarations in support of Patent Owner's Preliminary Response of February 2, 2017, and its Response, which is

presently due August 1, 2017. I have significant knowledge of the clinical issues that are relevant to this proceeding.

12. I hereby declare that all statements 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 and the like are punishable by fine, imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Dated: July 18, 2017

Respectfully Submitted,

/Barbara R. Rudolph/
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