IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MYLAN PHARMACEUTICALS INC.,
Petitioner,

v.

QUALICAPS CO., LTD,
Patent Owner.

Case IPR2017-00203
Patent 6,649,180

**DECLARATION OF JASON T. McCONVILLE, PH.D.
IN SUPPORT OF PATENT OWNER RESPONSE
PURSUANT TO 37 C.F.R. § 42.120**

Table of Contents

I, Jason T. McConville, hereby declare and state as follows:

I. PRELIMINARY STATEMENT

1. I have been retained on behalf of Patent Owner Qualicaps Co., Ltd. ("Patent Owner" or "Qualicaps") to provide evidence in *Mylan Pharmaceuticals Inc. v. Qualicaps Co., Ltd*, Case IPR2017-00203. I am being compensated at my usual and customary hourly rate for my services in connection with this *Inter Partes* Review proceeding. My compensation is not dependent upon the outcome of the present *Inter Partes* review proceeding.

2. I have reviewed the Petition for *Inter Partes* Review of Patent No. 6,649,180 ("the '180 patent") filed by Mylan Pharmaceuticals Inc. ("Petitioner"), including Dr. Kibbe's Declaration (Ex. 1011), as well as the exhibits and articles cited in those documents. I have also reviewed the articles and documents cited in this declaration.

3. I am aware of information generally available to, and relied upon by, persons of ordinary skill in the art at the relevant times. Some statements below are expressly based on such awareness.

II. ACADEMIC AND PROFESSIONAL QUALIFICATIONS

4. I am an Associate Professor of Pharmaceutics at the University of New Mexico College of Pharmacy and an Adjunct Professor at the University of Bonn, in the Department of Pharmaceutical Technology, in Bonn, Germany.

5. I received my Bachelor of Science, with Honors, in Applied Chemistry from Coventry University, in Coventry, United Kingdom in 1994. From 1994 to 1999, I was a Research Technician in Pharmaceutics at the Centre for Drug Formulation Studies at the University of Bath, in Bath, United Kingdom. My main research project pertained to controlled release drug delivery, and specifically hydrophilic gel formation and drug release. My responsibilities included preparation and testing of pharmaceutical formulations. These were done under the direction of the Principal Investigator, who provided the instruction on which materials to use in the formulations. I did not devise new combinations of materials or new uses for known materials. I would primarily consult manufacturer-provided information on specific substances and, with regard to testing methodology, the relevant pharmacopoeia in effect at the time. Additionally, I would refer to current literature for experimental guidance on standardized methods. I relied on labels and other identifying information on containers of materials I used to be certain I was using the correct materials.

6. I subsequently earned my Ph.D. in Pharmaceutics from the University of Strathclyde, in Glasgow, United Kingdom in 2002. My Ph.D. dissertation was titled "Pulsed-Release Drug Delivery and Development of the Time-Delayed Capsule." After earning my Ph.D., I was a Post-Doctoral Fellow at the University of Texas at Austin College of Pharmacy from 2002 to 2006.

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