

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PFIZER, INC.,
Petitioner,

v.

GENENTECH, INC.,
Patent Owner.

Case IPR2017-01489
U.S. Patent 6,407,213

**DECLARATION OF KEVIN S. PRUSSIA IN SUPPORT OF
MOTION FOR ADMISSION *PRO HAC VICE***

I, Kevin S. Prussia, declare as follows:

1. I obtained a B.A. from New York University in 2001, and a J.D. from the Boston University School of Law in 2006.

2. I am currently a partner in the law firm of Wilmer Cutler Pickering Hale and Dorr LLP, a position which I have held since January 1, 2015. In my 10 years of law practice, I have focused primarily on representing clients in patent litigations involving the chemical and pharmaceutical arts in United States district courts and the Court of Appeals for the Federal Circuit. Through this work, I have gained extensive experience as a litigating attorney, particularly in patent cases.

3. I am a member in good standing of the Bars of the Commonwealth of Massachusetts and the State of New York. I am admitted to practice before the U.S. District Court for the District of Massachusetts. I am also admitted to practice before the U.S. Court of Appeals for the First Circuit, and the U.S. Court of Appeals for the Federal Circuit. I am also admitted to practice before the Supreme Judicial Court for Suffolk County, Massachusetts, and the State of New York Supreme Court Appellate Division, Third Judicial Dept.

4. My Massachusetts Bar membership number is 666813.

5. In the past three years, I have appeared *pro hac vice* before the Office in the following proceedings: *ASML Netherlands BV, et al. v. Energetiq Tech.*,

Inc., IPR2015-01300 (*pro hac vice* granted); *ASML Netherlands BV, et al. v. Energetiq Tech., Inc.*, IPR2015-01377 (*pro hac vice* granted); *ASML Netherlands BV, et al. v. Energetiq Tech., Inc.*, IPR2015-01279 (*pro hac vice* granted); *ASML Netherlands BV, et al. v. Energetiq Tech., Inc.*, IPR2015-01277 (*pro hac vice* granted); *ASML Netherlands BV, et al. v. Energetiq Tech., Inc.*, IPR2015-01368 (*pro hac vice* granted); *ASML Netherlands BV, et al. v. Energetiq Tech., Inc.*, IPR2015-01362 (*pro hac vice* granted); *ASML Netherlands BV, et al. v. Energetiq Tech., Inc.*, IPR2015-01375 (*pro hac vice* granted); *Coalition for Affordable Drugs VII, LLC v. The Trustees of U. Penn.*, IPR2015-01835 (*pro hac vice* granted); *Coalition for Affordable Drugs VII, LLC v. The Trustees of U. Penn.*, IPR2015-01836 (*pro hac vice* granted). I represent Patent Owner Genentech, Inc. in a number of pending IPR proceedings, including IPR2017-00731 (*pro hac vice* filed June 8, 2017; institution denied July 27, 2017, request for rehearing filed August 25, 2017); IPR2017-00737 (*pro hac vice* granted June 21, 2017; trial instituted July 27, 2017); IPR2017-00739 (*pro hac vice* granted June 21, 2017; institution denied July 27, 2017); IPR2017-00804 (*pro hac vice* filed June 8, 2017; trial instituted July 27, 2017); IPR2017-00805 (*pro hac vice* granted filed June 8, 2017; trial instituted July 27, 2017); IPR2017-01121 (*pro hac vice* motion to be filed, pending); IPR2017-01122 (*pro hac vice* motion to be filed, pending); IPR2017-01139 (*pro hac vice* motion to be filed, pending); IPR2017-01140 (*pro*

hac vice motion to be filed, pending); IPR2017-01373 (*pro hac vice* motion to be filed, pending); IPR2017-01374 (*pro hac vice* motion to be filed, pending); IPR2017-01489 (*pro hac vice* motion to be filed, pending); IPR2017-01726 (*pro hac vice* motion to be filed, pending); IPR2017-01727 (*pro hac vice* motion to be filed, pending); IPR2017-01958 (*pro hac vice* motion to be filed, pending); IPR2017-01959 (*pro hac vice* motion to be filed, pending); IPR2017-01960 (*pro hac vice* motion to be filed, pending).

6. I have an established familiarity with the subject matter of the U.S. Patent No. 6,407,213 (the '213 patent), the '213 patent's file history, and the prior art at issue in this proceeding. I have been representing Genentech in connection with intellectual property matters relating to antibodies since early 2016. *See Sanofi-Aventis U.S. LLC et al. v. Genentech, Inc. et al.*, Case No. 2:15-cv-05685-GW-AGR (C.D. Cal.); *Merck Sharp & Dohme Corp. v. Genentech, Inc. et al.*, No. 16-cv-04992 (C.D. Cal.).

7. I have never been suspended or disbarred from practice before any court or administrative body.

8. I have never had a court or administrative body deny my application for admission to practice.

9. I have never had any sanctions or contempt citations imposed on me by any court or administrative body.

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

11. 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).

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.

Respectfully submitted,

Dated: September 22, 2017

/Kevin S. Prussia/
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