

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PFIZER, INC.,
Petitioner,

v.

GENENTECH, INC.,
Patent Owner.

Case IPR2017-01489
Patent 6,407,213 B2

**DECLARATION OF MARK C. MCLENNAN IN SUPPORT OF
PETITIONER'S MOTION FOR THE *PRO HAC VICE* ADMISSION**

Declaration of Mark C. McLennan in Support of
Petitioner's Motion for the *Pro Hac Vice* Admission of Mark C. McLennan

I, Mark C. McLennan, do hereby declare:

1. I am an Associate in the law firm Kirkland & Ellis LLP. Lead counsel in the *inter partes* review proceeding is Amanda Hollis, who is a Partner in the law firm Kirkland & Ellis LLP, and is registered to practice before the PTO and holds Registration No. 55,629. Backup counsel are (1) Stefan Miller, who is a Partner in the law firm Kirkland & Ellis LLP, and is registered to practice before the PTO and holds Registration No. 57,623 and; (2) Karen Younkins, who is an Associate in the law firm Kirkland & Ellis LLP, and is registered to practice before the PTO and holds Registration No. 67,554. With respect to the proceeding, I will work closely with Ms. Hollis, Mr. Miller and Ms. Younkins.

2. I hold a Bachelor of Science degree in Pharmacology and a Bachelor of Laws from Monash University, Australia. I also hold a Master of Laws degree from Columbia Law School.

3. I have approximately four years of experience as a litigation attorney, specializing in patent litigation and representing clients in patent litigation matters in various United States District Courts, and the Court of Appeals for the Federal Circuit. My experience includes several matters in the life sciences and pharmaceuticals arts. I have particular experience relevant to the technological and legal matters at issue in this proceeding, including matters concerning monoclonal antibody therapies and methods of preparing antibodies, including representing

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Pfizer, Inc. ("Petitioner") with a number of related matters. I am, therefore, an experienced patent litigation attorney with particular expertise that is pertinent to the proceeding. Petitioner desires, and has a need, to be represented in certain aspects of this proceeding by an experienced patent litigation attorney who has particular expertise that is relevant to the issues involved.

4. I am very familiar with U.S. Patent No. 6,407,213, and with the legal subject matter, technical subject matter, and prior art discussed in the Request for *Inter Partes* Review. I have personally reviewed the patent at issue, as well as the prosecution history, submissions filed in this proceeding, and accompanying declarations and exhibits. I have been and continue to be actively involved with strategy and with the factual and technical developments in that matter.

5. I am a member in good standing of the Bar of the State of New York, U.S. District Court for the Southern District of New York and the Court of Appeals for the Federal Circuit.

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

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

8. I have never been sanctioned or cited for contempt by any court or administrative body.

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

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. §§ 11.101 *et. seq.* and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

11. I have been admitted *pro hac vice* as counsel in the following proceedings before the United States Patent and Trademark Office:

- IPR2017-00804 and IPR2017-00805 as counsel for Hospira, Inc. concerning dosages for treatment with anti-ErbB2 antibodies.
- IPR2017-00737 as counsel for Hospira, Inc. concerning treatment with anti-ErbB2 antibodies.

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

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Date: November 2, 2017

Respectfully submitted,

By: /Mark C. McLennan/

Mark C. McLennan

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