

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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WEST-WARD PHARMACEUTICALS INTERNATIONAL LIMITED,

*Petitioner,*

v.

NOVARTIS PHARMACEUTICALS CORPORATION,

*Patent Owner.*

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Case IPR2017-01592<sup>1</sup>

Patent No. 8,410,131

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**DECLARATION IN SUPPORT OF PETITIONER WEST-WARD'S  
MOTION FOR *PRO HAC VICE* ADMISSION OF  
MICHAEL B. COTTLER UNDER 37 C.F.R. § 42.10**

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<sup>1</sup> IPR2018-00507 has been joined to this proceeding and the proceeding has been terminated as to Petitioner Breckenridge Pharmaceutical, Inc.

1. I, Michael B. Cottler, am more than twenty-one years of age, am competent to present this declaration, and have personal knowledge of the facts set forth herein.

2. This declaration is given in support of Petitioner West-Ward Pharmaceuticals International Limited's ("Petitioner" or "West-Ward") Motion for *Pro Hac Vice* Admission.

3. I am a partner at the law firm of Goodwin Procter LLP, in the firm's New York office.

4. I have been a patent litigation attorney for more than eleven years. A significant portion of my work has involved biological and chemical arts, with particular emphasis on pharmaceuticals. Since I began practicing law, I have been involved in numerous cases involving patent validity and infringement, in District Courts and before the Federal Circuit. I also have extensive experience in bench trials. I have also been involved in several *inter partes* review proceedings, although I have never made a *pro hac* appearance in one. In view of the above, I am an experienced litigating attorney.

5. I am a member in good standing of the State Bars of Connecticut and New York. I am also admitted to the United States District Court for the Eastern and Southern Districts of New York, and United States Court of Appeals

for the Federal Circuit. I have never been suspended or disbarred from practice before any court or administrative body.

6. No court or administrative body has ever denied my application for admission to practice before it.

7. No court or administrative body has ever imposed sanctions or contempt citations on me.

8. 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.

9. I understand that I will be subject to the Office's 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).

10. I have an established familiarity with the subject matter at issue in this proceeding. First, I was substantively involved in the district court litigation filed against West-Ward involving, among other things, the challenged patent here, U.S. Patent 8,410,131 ("the '131 patent"), and am involved in the appeal of the decision arising out of that case. Second, I have reviewed and understand all filings in IPR2017-01592 and IPR2018-00507.

11. I hereby declare under penalty of perjury under the laws of the

United States of America that the foregoing is true and correct to the best of my knowledge.

Dated: August 10, 2018

/Michael B. Cottler/  
Michael B. Cottler