

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WATSON LABORATORIES, INC.,
Petitioner,

v.

UNITED THERAPEUTICS CORP.
Patent Owner.

Case No. IPR2017-01621
Patent No. 9,358,240

Case No: PR2017-01622
Patent No. 9,339,507

**DECLARATION OF KURT A. MATHAS IN SUPPORT OF
MOTION FOR *PRO HAC VICE* ADMISSION**

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
United States Patent and Trademark Office
PO Box 1450
Alexandria, Virginia 22313-1450
Submitted Electronically via the Patent Review Processing System

Pursuant to 37 C.F.R. § 1.68, I, Kurt A. Mathas, attest to the following:

1. I am a member in good standing of the Illinois Bar, as well as the bars of the following Federal and State Courts:

- a. United States Court of Appeals for the Federal Circuit;
- b. United States Court of Appeals for the Seventh Circuit;
- c. United States Court for the Northern District of Illinois;
- d. United States Court for the Eastern District of Texas;
- e. United States Court for the District of Colorado; and
- f. United States District Court for the Western District of Michigan.

2. I have not been suspended or disbarred from practice before any court or administrative body.

3. I have never had an application for admission to practice before any court or administrative body denied.

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

5. 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.

6. I will be subject to the USPTO Code of Professional Responsibility set forth in 37 C.F.R. §§ 11.101 *et seq.*, and to disciplinary jurisdiction under 37 C.F.R. § 11.19(a).

7. I am concurrently seeking *pro hac vice* admission in IPR2017-01621 related to U.S. Patent No. 9,358,240 and IPR2017-01622 related to U.S. Patent No. 9,339,507. I have not previously applied for *pro hac vice* admission before the Board in any other matters.

8. I am an experienced litigation attorney and have been involved in numerous patent infringement cases in federal courts across the country. I have 12 years of litigation experience. I have experience in all aspects of patent infringement matters including up to and including jury trials and bench trials. I have argued in multiple patent cases in federal courts. I serve as trial counsel for Watson Laboratories, Inc. (the petitioner in this proceeding) concerning the patent challenged by the Petition, among others, in district court litigation pending in the District of New Jersey and captioned *United Therapeutics Corp. v. Watson Laboratories, Inc.*, Civil Action No. 3:15-cv-05723-PGS-LHG (D.N.J.). As a result of my involvement as trial counsel for Petitioner in the co-pending district court litigation over the involved patent, I have obtained substantial familiarity with the involved patent, the prior art, and the various issues raised in this proceeding. I have appeared for numerous proceedings before the district court and I have reviewed the Petition, and the cited materials, and am familiar with the subject matter involved in this proceeding. Specifically, I am the outside counsel primarily responsible for the day-to-day management of the district court litigation and have been involved in

analysis of the prior art and developing and litigating invalidity defenses for the involved patents in the district court action.

I declare under penalty of perjury that the foregoing is true and correct.

Date: January 25, 2018



Kurt A. Mathas