Filed on behalf of: KVK-Tech, Inc.

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KVK-Tech, Inc.

Petitioner

v.

Shire PLC

Patent Owner

U.S. Patent No. 8,846,100

DECLARATION OF DIANE J. BURGESS, PH.D.

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I, Diane J. Burgess, do hereby declare as follows:

I. Overview

1. I am over the age of 18 and otherwise competent to make this declaration. This declaration is based on my personal knowledge as an expert in pharmaceutical formulation. I understand this declaration is being submitted together with a petition for Inter Partes Review ("IPR") of claims 1-31 of U.S. Patent No. 8,846,100 (the "'100 patent").

2. I have been retained as an expert on behalf of KVK-Tech, Inc. ("KVK"), the Petitioner, for this IPR. I am being compensated for my time in connection with this IPR at my standard legal consultant rate. I have no personal or financial interest in KVK or in the outcome of this proceeding.

3. I understand that the '100 patent issued on September 30, 2014, and resulted from U.S. Application No. 11/383,066, filed on May 12, 2006. I understand that, based on that date, the earliest possible filing date of the '100 patent is May 12, 2006. I have been asked to provide my analysis of the '100 patent based on prior art and the knowledge in the art before May 12, 2006.[1] I also understand that the patent is assigned to Shire LLC ("Shire") on its face.

[1] My opinions would not be affected should Shire establish an earlier invention date in 2005 or 2006.

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