

Filed January 24, 2019

Filed on behalf of: KVK-Tech, Inc.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KVK-Tech, Inc.

Petitioner

v.

Shire PLC

Patent Owner

Case IPR2018-00293

U.S. Pat. No. 9,173,857

DECLARATION OF DAVID J. GALLUZZO IN SUPPORT OF
MOTION FOR ADMISSION *PRO HAC VICE*

I, David J. Galluzzo, declare as follows:

1. I was admitted to the Connecticut Bar in 2006. I have been practicing law for over 12 years. For more than 8 years my practice has focused primarily on patent litigation.

2. Over the course of my career, I have been counsel in over 10 patent litigations.

3. I am a member in good standing of the Bars of New York and Connecticut, and am admitted to practice before the U.S. District Courts for the Southern District of New York, Eastern District of New York, and the District of Delaware. My Connecticut Bar membership number is 426165 and my New York Bar membership number is 4495503.

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

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

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

7. 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).

8. I have currently applied to appear *pro hac vice* in the following related proceeding before the United States Patent and Trademark Office IPR2018-00290. I have not applied to appear *pro hac vice* before the United States Patent and Trademark Office in any other proceedings in the last three years.

9. I am intimately familiar with the subject matter of U.S. Patent No.9,173,857. I am also intimately familiar with amphetamine salt formulations, such as Adderall XR® as a result of

my preparation and research in this matter. I have represented a number of life sciences and pharmaceutical companies in patent litigation matters before federal district courts. In addition, I am a former pharmaceutical scientist with close to ten years of chemistry experience. The technology in these disputes included pharmaceutical compounds and method-of-treatment claims.

10. 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 and the like are punishable by fine, imprisonment, or both under Section 1001 of Title 18 of the United States Code.

Respectfully submitted,

By: /s/ David J. Galluzzo
David J. Galluzzo
Lucas & Mercanti, LLP
30 Broad Street
New York, New York 10004

Date: January 24, 2019