

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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AMNEAL PHARMACEUTICALS LLC AND  
AMNEAL PHARMACEUTICALS OF NEW YORK, LLC,  
Petitioners,

v.

ALMIRALL, LLC,  
Patent Owner.

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Case IPR2018-00608  
Patent 9,161,926

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**DECLARATION OF ELIZABETH B. HAGAN IN SUPPORT OF  
PATENT OWNER ALMIRALL, LLC'S  
MOTION FOR ADMISSION *PRO HAC VICE***

I, Elizabeth B. Hagan, am more than twenty-one years of age, am competent to present this declaration, and have personal knowledge of the facts set forth therein.

2. This declaration is made in support of Patent Owner Almirall, LLC's Motion for Admission *Pro Hac Vice* of Elizabeth B. Hagan Pursuant to 37 C.F.R. § 42.10(c).

3. I am an associate in the law firm Fenwick & West LLP.

4. I earned a Ph.D. in Medical Science from the Pathobiology Graduate Program at Brown University in 2009. I have been practicing law since 2013, and have experience litigating patent infringement cases in district courts across the United States and at the United States Court of Appeals for the Federal Circuit.

5. I have been litigating patent cases for over five years. My experience in patent litigation includes trials, claim construction, patent summary judgment proceedings, and other patent-related hearings and pleadings concerning, among other issues, patent validity and infringement.

6. I am an attorney in good standing of the State Bar of Washington. I have never been suspended or disbarred from practice before any court or administrative body.

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

8. No court or administrative body has ever imposed sanctions or

contempt citations against me.

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 understand that I will be subject to the USPTO 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).

11. I have not applied to appear *pro hac vice* before the Office in the last three years.

12. I have an established familiarity with the subject matter at issue in this proceeding. I am one of the attorneys representing Patent Owner Almirall, LLC ("Almirall") in the co-pending district court litigation against the Petitioner Eli Lilly and Company and Lilly USA, LLC. Taro Pharmaceutical Industries Ltd. *See Almirall, LLC v. Taro Pharm. Indus., Ltd.*, Case No. 1:17-cv-00663 (JFB) (SRF) (D. Del.). That litigation involves a patent in the same family as the patent at issue in this proceeding, U.S. Patent No. 9,161,926 ("the '926 patent"). As trial counsel for Almirall, I am actively involved in all aspects of the district court litigation, including development of infringement positions regarding a patent in the same family as the '926 patent challenged in this proceeding.

13. I have also reviewed in detail the '926 patent, which is the patent involved in this proceeding, as well as its prosecution history, the Petition, the expert

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Hagan Declaration ISO Motion for Admission *Pro Hac Vice*

declarations in support of the Petition, the prior art upon which the Petitioner bases its challenge, and the Board's Institution Decision.

14. I am thus familiar with the '926 patent and the issues in this case.

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

EXECUTED at Seattle, Washington this 31st day of October, 2018.

/Elizabeth B. Hagan/

Elizabeth B. Hagan

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**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6, I hereby certify that the foregoing  
**DECLARATION OF ELIZABETH B. HAGAN IN SUPPORT OF PATENT  
OWNER ALMIRALL, LLC'S MOTION FOR ADMISSION *PRO HAC VICE***

was served by electronic mail on the following counsel of record for petitioner:

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Dated: October 31, 2018

Respectfully submitted,

FENWICK & WEST LLP

By: /James Trainor/  
James Trainor (Reg. No. 52,297)

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