

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PROLLENIUM US INC.,
Petitioner

v.

ALLERGAN INDUSTRIE, SAS,
Patent Owner

IPR2019-01505, Patent 8,450,475 B2
IPR2019-01506, Patent 8,357,795 B2
IPR2019-01508, Patent 9,238,013 B2
IPR2019-01509, Patent 9,358,322 B2
IPR2019-01617, Patent 8,822,676 B2
IPR2019-01632, Patent 8,357,795 B2
IPR2020-00084, Patent 9,089,519 B2

**DECLARATION OF ELIZABETH FLANAGAN IN SUPPORT OF PATENT
OWNER'S MOTION FOR *PRO HAC VICE* ADMISSION**

**DECLARATION OF ELIZABETH FLANAGAN IN
SUPPORT OF PATENT OWNER'S MOTION FOR *PRO
HAC VICE* ADMISSION**

I, Elizabeth Flanagan, hereby declare the following:

1. I am a member in good standing of the state Bars of Minnesota, Delaware and Michigan, as well as the United States District Courts for the Districts of Minnesota, Delaware, Colorado, and the Eastern District of Texas, the United States Court of Appeals for the Federal Circuit, and the United States Supreme Court.
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. No sanction or contempt citation has been imposed against me by any court or administrative body.
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 the Code of Federal Regulations.
6. 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).
7. I am an experienced litigation attorney with more than 11 years of experience representing clients in patent cases involving pharmaceuticals and

medical devices. I regularly litigate patent cases in various forums including the federal district courts and the United States Court of Appeals for the Federal Circuit. Through my experience in patent litigation matters, I have represented clients in many phases of litigation including discovery, Markman hearings, jury trials, bench trials, and appeals. My biography is attached hereto as Exhibit A.

8. I served as counsel for Allergan Industrie, SAS in *Allergan USA, Inc. and Allergan Industrie, SAS v. Medicis Aesthetics Inc., et al.*, Case No. SACV 13-1436 AG (JPRx) (C.D. Cal.), in which United States Patent Nos. 8,357,795 and 8,450,475 were asserted. This case thus involved two of the same patents at issue in these proceedings, which are related to the other four patents at issue in these proceedings. In this case, I participated in many phases of the litigation, including fact discovery, expert discovery, and claim construction proceedings. I am therefore very familiar with the subject matter of these proceedings (crosslinked hyaluronic acid dermal fillers).

Respectfully submitted,

Date: 6/8/2020



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APPENDIX A

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Betsy Flanagan

Principal

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Background

Betsy Flanagan is a Principal in the Twin Cities office of Fish & Richardson. Her practice focuses on complex patent litigation, with an emphasis on life sciences, biotechnology and pharmaceutical litigation, including Hatch-Waxman litigation. Betsy has worked on a variety of technologies, including, for example, pharmaceutical formulations, glaucoma drugs, hair growth agents, dermal fillers, nucleosides, antibodies, biologics, and sleep apnea devices. She has experience in all phases of litigation, including pre-filing due diligence, document collection and production, managing fact and expert discovery strategy, depositions, discovery hearings, claim construction hearings, and settlement. Betsy regularly leads briefing for claim construction, summary judgment and other dispositive motions, and post-trial issues, including JMOL. Betsy's trial experience includes both bench and jury trials. In addition to district court litigation, Betsy has also worked on a number of Federal Circuit appeals, has practiced before the International Trade Commission, and has experience in post-grant proceedings, including *inter partes* review.

In 2018, Betsy was named one of the "Top 250 Women in Litigation" by *Benchmark Litigation*, an "Up & Coming Attorney" by *Minnesota Lawyer*, and a "Women Worth Watching" award winner by *Profiles in Diversity Journal*. She has also been named a Rising Star in Intellectual Property Litigation by *Super Lawyers*, a "Life Science Star" by *LMG Life Sciences* multiple times, and a Rising Star by *Law360*.

Before joining Fish, Betsy was a Staff Chemist for Merck & Co., Inc. working on vaccine research, and was a Law Clerk at Fair Isaac Corporation.

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