

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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TEVA PHARMACEUTICALS USA, INC. AND WATSON  
LABORATORIES, INC.

Petitioners,

v.

MERCK SHARP & DOHME CORP.

Patent Owner.

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Case IPR2020-01045

Patent 7,326,708

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DECLARATION OF EMILY L RAPALINO IN SUPPORT OF PETITIONERS'  
MOTION FOR *PRO HAC VICE* ADMISSION OF EMILY L RAPALINO  
UNDER 37 C.F.R. § 42.10(c)

IPR2020-01045

Teva Ex. 1018

I, Emily L. Rapalino, declare as follows:

1. I obtained an A.B. from Harvard University in 1996, and M.S. from the Weizmann Institute of Science, and a J.D. from Columbia Law School in 2002.

2. I am currently a partner in the law firm of Goodwin Procter LLP, a position which I have held since about 2009. In my 18 years of practice, I have focused primarily on representing clients in patent litigations involving the chemical arts in United States district courts and the Court of Appeals for the Federal Circuit. Through this work, I have gained extensive experience as a litigating attorney, particularly in patent cases.

3. I am a member in good standing of the Bar of the Commonwealth of Massachusetts, the State of New Jersey, and the State of New York, and am admitted to practice before the United States District Court for the District of Massachusetts, the United States District Court for the Eastern District of New York, the United States District Court for the Southern District of New York, and the United States Court of Appeals for the Federal Circuit.

4. In the last three years, I was admitted to appear *pro hac vice* in PGR2017-00034 and IPR2017-01256.

5. I have substantial familiarity with the subject matter at issue in this proceeding. Patent Owner has asserted against Petitioners U.S. Patent No. 7,326,708 (“the ’708 patent”), the patent at issue in this proceeding. In the course

of those proceedings, I have developed a strong familiarity with the '708 patent, its prosecution history, the general subject matter to which the '708 patent is directed, and the prior art references relied upon by Petitioner and the Patent Owner in support of their Papers. Furthermore, I have thoroughly reviewed the Petition, the Patent Owner's Response, and accompanying Exhibits submitted in this proceeding.

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

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

8. I have never been subject to any sanction or contempt citation imposed by any court or administrative body.

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 agree to 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 declare under penalty of perjury that the foregoing is true and correct. I further 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 were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Executed on: July 27, 2020

*Emily L. Rapalino*

Emily L. Rapalino