

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC.,

Petitioner

v.

REGENERON PHARMACEUTICALS, INC.,

Patent Owner

Case IPR2021-00881
Patent No. 9,254,338 B2

DECLARATION OF MATTHEW M. WILK

Mylan v. Regeneron
IPR2021-00881
U.S. Pat. 9,254,338
Exhibit 2046

I, Matthew M. Wilk, do hereby declare as follows:

1. I am a member in good standing of the New York State Bar, to which I was admitted on December 10, 2018, and the Massachusetts State Bar, to which I was admitted on June 24, 2019.

2. I am an associate at the law firm of Arnold & Porter Kaye Scholer LLP (“Arnold & Porter”). I began working at Arnold & Porter in February 2020. I have pharmaceutical patent litigation experience, including in United States District Courts and before the Patent Trial & Appeal Board. My patent litigation experience includes cases related to biologics and medical devices.

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

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

5. I have had no sanctions or contempt citations imposed against me by any court or administrative body.

6. 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 37 C.F.R. § 42.

7. 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).

8. Deborah E. Fishman (Reg. No. 48,621) and Alice S. Ho (Lim. Rec. No. L1162) are experienced registered patent attorneys with whom I have worked closely and will continue to do so.

9. I have significant familiarity with the subject matter at issue in this proceeding and have substantive knowledge of the patent at issue (U.S. Patent No. 9,254,338 (the “338 Patent”) by virtue of my preparation for this proceeding. A significant amount of my time since March 2020 has been spent working on issues related to the ’338 Patent and Patent Owner’s commercial product, Eylea[®]. I was substantively involved in the preparation of the Patent Owner Preliminary Response. Therefore, I have a substantial familiarity with the subject matter of this proceeding.

10. I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true. I understand that willful false statements are punishable by fine or imprisonment or both. See 18 U.S.C. § 1001.

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Dated: November 22, 2021

/s/ Matthew M. Wilk
Matthew M. Wilk