

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APOTEX, INC.,

Petitioner,

v.

CELGENE CORPORATION,

Patent Owner.

Case IPR2023-00512

Patent 8,846,628

**DECLARATION OF ANDREW J. DANFORD IN SUPPORT OF
UNOPPOSED MOTION FOR ADMISSION *PRO HAC VICE***

CELGENE 2152
APOTEX v. CELGENE

I, Andrew J. Danford, declare as follows:

1. I obtained a S.B. from the Massachusetts Institute of Technology in 2005 and a J.D. from the Stanford Law School in 2008.
2. I am currently a partner in the law firm of Wilmer Cutler Pickering Hale and Dorr LLP. I was admitted to the Massachusetts Bar in January of 2009 and the New York Bar in August of 2010 and have been practicing law for over 13 years. During the entire time that I have been practicing law, my practice has focused on the field of intellectual property, and particularly, patent litigation.
3. I am a member in good standing of the Massachusetts and New York Bars and am admitted to practice before the United States District Court for the District of Massachusetts, the United States Court of Appeals for the First Circuit, and the United States Court of Appeals for the Federal Circuit.
4. My New York Bar membership number is 4855318. My Massachusetts Bar membership number is 672342.
5. Over the course of my career, I have been counsel in numerous patent litigations. Several of these cases have concerned Patent Office rules and regulations. For example, I represented Cephalon, Inc. in *Apotex Inc. v. Cephalon, Inc.*, No. 12-1417 (Fed. Cir.).
6. I have appeared *pro hac vice* before the Office in the following proceedings: *Hospira Inc. et al. v. Genentech Inc.*, IPR2017-00737 (*pro hac vice*

granted); *Hospira Inc. et al. v. Genentech Inc.*, IPR2017-00739 (*pro hac vice* granted); *Hospira Inc. et al. v. Genentech Inc.*, IPR2017-00805 (*pro hac vice* granted); *Boehringer Ingelheim Pharmaceuticals Inc. v. Genentech Inc.*, IPR2017-02031 (*pro hac vice* granted); *Boehringer Ingelheim Pharmaceuticals Inc. v. Genentech Inc.*, IPR2017-02032 (*pro hac vice* granted); *Pfizer Inc. et al. v. Genentech Inc.*, IPR2017-01488 (*pro hac vice* granted); *Pfizer Inc. et al. v. Genentech Inc.*, IPR2017-01489 (*pro hac vice* granted); *Celltrion Inc. v. Genentech Inc.*, IPR2017-01373 (*pro hac vice* granted); *Celltrion Inc. v. Genentech Inc.*, IPR2017-01374 (*pro hac vice* granted); *PNC Bank N.A. v. United Services Automobile Association*, IPR2021-01077 (*pro hac vice* granted).

7. I have an established familiarity with the subject matter of U.S. Patent No. 8,846,628 (the '628 patent), the '628 patent's file history, and the prior art at issue in this proceeding. I am familiar with pharmaceutical technologies as a result of participation as counsel in related district court litigations on the '628 patent as well as many prior pharmaceutical-related intellectual property cases. I have also recently represented other pharmaceutical companies, including, among others, Genentech, AbbVie, Takeda Pharmaceuticals, AstraZeneca, and Cephalon in patent litigation matters before federal district courts and the Federal Circuit. The technology involved in these disputes includes drug formulation technology.

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

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

10. I have never had any sanctions or contempt citations imposed on me by any court or administrative body.

11. I attest to each of the listed items required by the Order – Notice of Filing Date Accorded to Petition And Time For Filing Patent Owner Preliminary Response in IPR2023-00512.

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

13. 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).

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.

Dated: October 18, 2023

Respectfully submitted,

/Andrew J. Danford/
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