

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC.,

Petitioner,

v.

NOVO NORDISK A/S,

Patent Owner.

Case No. IPR2023-00724
U.S. Patent No. 10,335,462

**DECLARATION OF BRYAN D. BEEL
IN SUPPORT OF MOTION FOR *PRO HAC VICE* ADMISSION OF
BRYAN D. BEEL**

I, Bryan D. Beel, declare as follows:

1. I am senior counsel in the patent litigation group at Perkins Coie LLP.

2. I am a member in good standing of the Bar of the State of Oregon. I am also admitted to practice before the United States Courts of Appeals for the Fourth Circuit and Federal Circuit. I am admitted to practice before the United States District Court for the District of Oregon, and the Supreme Court of Oregon.

3. My State of Oregon Bar membership number is OR 073408.

4. I have been practicing law for 16 years, including litigating patent cases, specifically relating to pharmaceutical patent cases for approximately 13 years.

5. More generally, I have represented the Petitioner and/or its various related entities in litigating significant pharmaceutical patent cases, such as the following patent cases:

- *AstraZeneca AB v. Mylan Laboratories Ltd.*, No. 12-cv-01378 (U.S. District Court for the District of New Jersey);
- *Horizon Pharma, Inc. v. Mylan Pharmaceuticals Inc.*, No. 13-cv-04022 (U.S. District Court of the District of New Jersey);

- *Horizon Pharma, Inc. v. Mylan Pharmaceuticals Inc.*, No. 15-cv-03327 (U.S. District Court of the District of New Jersey);
- *BTG Int'l Ltd. v. Actavis Labs. FL, Inc.*, No. 15-cv-05909 (U.S. District Court of the District of New Jersey);
- *Novartis AG v. Mylan Pharmaceuticals Inc.*, No. 16-cv-00289 (U.S. District Court of the District of Delaware);
- *Horizon Pharma, Inc. v. Mylan Pharmaceuticals Inc.*, No. 16-cv-04921 (U.S. District Court for the District of New Jersey);
- *Novartis Pharmaceuticals Corp. v. Mylan Pharmaceuticals Inc.*, No. 17-cv-00389 (U.S. District Court for the District of Delaware);
- *Novartis Pharmaceuticals Corp. v. Mylan Pharmaceuticals Inc.*, No. 17-cv-54 (U.S. District Court for the Northern District of West Virginia);
- *Novartis Pharmaceuticals Corp. v. Accord Healthcare Inc.*, No. 18-cv-01043 (U.S. District Court for the District of Delaware);
- *Novo Nordisk Inc. v. Mylan Institutional LLC*, No. 19-01551 (U.S. District Court for the District of Delaware);
- *Merck Sharp & Dohme B.V. v. Mylan API US LLC*, No. 20-cv-61 (U.S. District Court for the Northern District of West Virginia);

- *Merck Sharp & Dohme B.V. v. Mylan API US LLC*, No. 20-cv-3270 (U.S. District Court for the District of Delaware);
- *In re: Sugammadex*, No. 20-2576 (U.S. District Court for the District of Delaware);
- *Otsuka Pharmaceutical Co., Ltd. v. Mylan Laboratories Ltd.*, No. 22-464 (U.S. District Court for the District of Delaware);
- *Novo Nordisk Inc. v. Viatrix Inc.*, No. 23-101 (U.S. District Court for the District of Delaware);
- *Novo Nordisk Inc. v. Mylan Pharmaceuticals Inc.*, No. 22-1040 (U.S. District Court for the District of Delaware); and
- *In re: Ozempic (Semaglutide) Patent Litigation*, No. 22-MD-3038 (U.S. District Court for the District of Delaware).

6. I have never been disbarred, suspended, sanctioned, or cited for contempt by any court or administrative body. I am not currently suspended in any bar, or by any court or administrative body.

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

8. I am familiar with the subject matter of this proceeding. In addition to U.S. Patent No. 10,335,462 (the “462 patent”) and its prosecution history, I

am familiar with the technology at issue and Ozempic®, the pharmaceutical product for which the '462 patent is listed in FDA's publication Approved Drug Products with Therapeutic Equivalence Evaluations, commonly referred to as the "Orange Book." I have been litigating issues surrounding Ozempic® and the '462 patent in *In re: (Semaglutide) Patent Litigation*, No. 22-MD-3038 (D. Del.), on behalf of Mylan Pharmaceuticals Inc.

9. In connection with my work on the Ozempic litigation, I have become familiar with the prior art references that are the subject of this proceeding.

10. Given my familiarity with the underlying facts and my litigation experience with the Federal Rules of Evidence, I have experience and expertise important to representing Mylan's interests in this matter.

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

12. 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).

13. I have previously applied for, and been granted, admission pro hac vice before the United States Patent and Trademark Office in IPR2016-01332, IPR2017-01995, IPR2018-00272, and PGR2022-00023.

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