UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MURRAY & POOLE ENTERPRISES LTD.,

Petitioner,

v.

INSTITUT DE CARDIOLOGIE DE MONTREAL,

Patent Owner.

Case IPR2023-01064
Patent 11,400,063

DECLARATION OF MATTHEW T. WILKERSON IN SUPPORT OF PATENT OWNER'S MOTION FOR PRO HAC VICE ADMISSION

MHI EXHIBIT 4001

I, Matthew T. Wilkerson, hereby declare the following:

1. I am an associate at the law firm ArentFox Schiff LLP. I have four years of experience as a patent litigator and have represented clients in numerous patent litigation cases in various United States District Courts and the Court of Appeals for the Federal Circuit.

2. I am comfortable and experienced with technically and legally complex issues of the kinds that are likely to present themselves in this proceeding. In particular, I am experienced with technically and legally complex matters in the pharmaceutical field, including the following exemplary cases:

- *Ferring Pharmaceuticals Inc., Ferring Int'l Center, S.A., Ferring B.V., and Polypeptide Laboratories A/S v. Fresenius Kabi USA, LLC*, Case No. C.A. No. 20-cv-431 (D. Del. 2022)
- *Ferring Pharmaceuticals Inc., Ferring Int'l Center, S.A., Ferring B.V., and Polypeptide Laboratories A/S v. Fresenius Kabi USA, LLC*, Appeal Nos. 2023-1460, -1559 (Fed. Cir. 2023)
- *Chiesi USA, Inc. and Chiesi Farmaceutici S.P.A. v. MSN Pharmaceuticals, Inc., MSN Laboratories Pvt. Ltd., MSN Life Sciences Pvt. Ltd., Endo Procurement Operations Ltd., and Gland Pharma Ltd.*, Case No. C.A. No. 2:19-cv-18564 (Consol.) (D.N.J. 2022)
- *In re Sugammadex*, Case No. C.A. No. 20-cv-2576 (Consol.) (D.N.J. 2022)
- *In re Sugammadex*, Appeal No. 2023-2254 (Fed. Cir. 2023)
- *Intercept Pharmaceuticals, Inc. and Intercept Pharma Europe Ltd. v. Apotex Inc., et al.*, Case No. C.A. No. 20-1105 (Consol.) (D. Del. 2023)
- *Melinta Therapeutics, LLC, Melinta Subsidiary Corp., and Rempex Pharmaceuticals, Inc. v. Nexus Pharmaceuticals, Inc.*, Case No. 1:21-cv-02636 (N.D. Ill. 2023)
- *Amgen Inc. and KAI Pharmaceuticals, Inc. v. MSN Laboratories Pvt. Ltd., MSN Pharmaceuticals, Inc., and USV Pvt. Ltd.*, Case No. C.A. No. 21-662 (D. Del. 2023)

- *Novartis Pharmaceuticals Corp. and Astex Therapeutics Ltd. v. MSN Pharmaceuticals Inc. and MSN Laboratories Pvt. Ltd.*, Case No. C.A. No. 21-870 (Consol.) (D. Del. 2024)

3. I am a member in good standing of the Bar of the State of Illinois. I am admitted to practice before the United States Court of Appeals for the Federal Circuit.

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

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

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 part 42 of 37 C.F.R.

7. 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).

8. I hereby declare that all the 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 or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Dated: March 13, 2024

By: */Matthew T. Wilkerson/*

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Patent Owner's Motion for *Pro Hac Vice* Admission Under 37 C.F.R. § 42.10(c) and Exhibit 4001 were served electronically via e-mail on March 13, 2024, in its entirety on the following:

Joanna Brougher (jbrougher@biopharlaw.com)

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Joe Hawkins (jhawkins@lpiplaw.com)

Petitioner has agreed to electronic service.

Dated: March 13, 2024

By: *___/Sailesh K. Patel/_____*

Sailesh K. Patel

ARENTFOX SCHIFF LLP

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