UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SUN PHARMACEUTICALS INDUSTRIES INC.,
Petitioner

v.

NIVAGEN PHARMACEUTICALS, INC.
Patent Owner

IPR2025-00893
Patent No. 11,878,076

Declaration of Samuel T. Lockner in Support of Petitioner's Unopposed Motion for *Pro Hac Vice* Admission

I, Samuel T. Lockner, hereby declare as follows:

1. I am an attorney with the law firm of Carlson, Caspers, Vandenburgh & Lindquist P.A. ("Carlson Caspers"). This declaration is submitted on behalf of Petitioner Sun Pharmaceuticals Industries Inc. ("Sun Pharmaceuticals") in support of its Motion for *Pro Hac Vice* Admission of Samuel T. Lockner. This declaration is made on my own personal knowledge, except as otherwise indicated.

2. I am a member in good standing of the Bar of the State of Minnesota (Minnesota Bar Number 0341095).

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

4. No application for admission to practice before any court or administrative body that I have filed or that has been filed on by behalf has ever been denied.

5. No sanctions or contempt citations have been imposed on 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 part 42 of 37 C.F.R.

7. I agree to be subject to 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. I have not applied to appear *pro hac vice* in any proceedings in the last three years.

9. I have been involved in many litigations involving patent infringement in multiple federal District Courts. I have practiced law for more than 20 years and I have litigated patent cases during that entire time period. I

have extensive experience with patent issues related to obviousness under 35 U.S.C. §§102 and 103. In the course of my experience litigating patents, I have analyzed many pieces of prior art, prepared many prior art statements and responses, worked with validity experts, and drafted and filed briefing related to patent invalidity arguments.

10. I am familiar with the subject matter at issue in this proceeding. My law firm, Carlson Caspers, represents Petitioner Sun Pharmaceuticals in a patent infringement lawsuit that is pending in the United States District Court for the Eastern District of Texas (Civil Action. No. 2:24-cv-00036 (RSW), filed January 23, 2024). This lawsuit involves the same patent at issue in this *Inter Partes* Review for U.S. Patent No. 11,878,076 and involves the same parties. I have assisted other attorneys at my firm in representing Petitioner Sun Pharmaceuticals in this case. Through this work, I have gained familiarity with the subjects at issue, which includes the validity of the patent at issue in the District Court case.

11. I have also reviewed in detail U.S. Patent Nos. 11,878,076, the Petition and corresponding exhibits and expert declaration filed by Petitioner Sun Pharmaceuticals in this proceeding, and Patent Owner's Brief in Support of Request for Discretionary Denial. Further, I have reviewed in detail the prior art references cited by Petitioner and relied on in filing this proceeding.

12. My technical background provides me with additional understanding of the subject matter at issue. I completed a Bachelor of Science undergraduate degree in Genetics Cell Biology and Development, which included coursework in mathematics, chemistry, microbiology, immunology, biochemistry, and physics.

I state under penalty of perjury that the foregoing is true and correct.

Dated: August 20, 2025

/Samuel T. Lockner/
Samuel T. Lockner

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