

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNITED THERAPEUTICS CORPORATION,
Petitioner,

v.

ACTELION PHARMACEUTICALS, LTD.,
Patent Owner.

Case IPR2025-01139
U.S. Patent No. 8,268,847

**DECLARATION OF BRENNEN P. BAYLOR
IN SUPPORT OF THE PETITION FOR
INTER PARTES REVIEW**

I, Brennen P. Baylor, make the following Declaration pursuant to 28 U.S.C. § 1746:

1. I am an associate at the law firm of McDermott Will & Emery LLP, which represents Petitioner United Therapeutics Corporation (“UTC” or “Petitioner”).

2. I provide this Declaration in connection with the above-identified *Inter Partes* Review proceeding that was requested at the United States Patent and Trademark Office (“USPTO”) by UTC. Unless otherwise stated, the facts stated in this Declaration are based on my personal knowledge.

3. Exhibit 1001 is a true and correct copy of United States Patent Number 8,268,847 to Martine Clozel, which issued on September 18, 2012. This document was downloaded on or about February 3, 2025, at my direction from the USPTO Patent Center website and is a record of the USPTO to which all parties have access. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. However, no alterations, other than these noted markings, have been made to this document.

4. Exhibit 1004 is a true and correct copy of WO2002/053557 entitled “Novel Sulfamides and Their Use as Endothelin Receptor Antagonists” and published on July 11, 2002. Exhibit 1004 was downloaded on or about June 10, 2025, at my direction from the USPTO Patent Center website and is a record of the

USPTO to which all parties have access. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. However, no alterations, other than these noted markings, have been made to this document.

5. Exhibit 1005 is a true and correct copy of WO2006/026395 entitled “Endothelin A Receptor (ET_A) Antagonists in Combination with Phosphodiesterase 5 Inhibitors (PDE5) and Uses Thereof” and published on March 9, 2006. Exhibit 1005 was downloaded on or about June 10, 2025, at my direction from the USPTO Patent Center website and is a record of the USPTO to which all parties have access. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. However, no alterations, other than these noted markings, have been made to this document.

6. Exhibit 1007 is a true and correct copy of the Prescribing Information for Viagra® and dated November 1998. Exhibit 1007 was downloaded on or about June 10, 2025, at my direction from the FDA website and is a record of the FDA to which all parties have access. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. However, no alterations, other than these noted markings, have been made to this document.

7. Exhibit 1008 is a true and correct copy of the Prescribing Information for Cialis® and dated November 21, 2003. Exhibit 1008 was downloaded on or about June 10, 2025, at my direction from the FDA website and is a record of the

FDA to which all parties have access. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. However, no alterations, other than these noted markings, have been made to this document.

8. Exhibit 1009 is a true and correct copy of a publication by M.M. Hoeper et al. entitled “Combination Therapy with Bosentan and Sildenafil in Idiopathic Pulmonary Arterial Hypertension,” published in the European Respiratory Journal dated December 2004 and published online on December 1, 2004. Exhibit 1009 was downloaded on February 5, 2025, at my direction from the European Respiratory Society Publications website and is a record of the USPTO to which all parties have access. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner, and a page recording the online publication date has been appended at the end of the document. However, no alterations, other than these noted markings and addition, have been made to this document.

9. Exhibit 1010 is a true and correct copy of a Letter to the Editors by A.H. Morice et al. entitled “Combination Therapy with Bosentan and Phosphodiesterase-5 Inhibitor in Pulmonary Arterial Hypertension,” published in the European Respiratory Journal dated July 2005 and published online on July 1, 2005. Exhibit 1010 was downloaded on February 5, 2025, at my direction from the European Respiratory Society Publications website and is a record of the USPTO to which all parties have access. This document has been marked with an exhibit label and page

numbers on each page at the bottom right corner, and a page recording the online publication date has been appended at the end of the document. However, no alterations, other than these noted markings and addition, have been made to this document.

10. I make this declaration of my own personal knowledge. If called to testify as to the truth of the matters stated herein, I could and would testify competently.

11. I declare under penalty of perjury that the foregoing is true and correct.
Executed this 10th day of June, 2025, at Washington, D.C.

/Brennen P. Baylor/
Brennen P. Baylor