

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NOVARTIS PHARMACEUTICALS CORPORATION,
Petitioner

v.

PLEXXIKON INC.,
Patent Owner

Case No.: *To be Assigned*
U.S. PATENT NO. 9,469,640

**DECLARATION OF DAVID MLAVER IN SUPPORT OF PETITIONER'S
MOTION FOR ADMISSION *PRO HAC VICE***

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450
Submitted Electronically via the Patent Review Processing System

I, David Mlaver, declare as follows:

1. I have been a litigating attorney for more than four (4) years.
2. I have been litigating patent cases for at least three (3) of those years and spent the remaining year as a judicial clerk to the Hon. Robert W. Schroeder III of the United States District Court for the Eastern District of Texas.
3. I am a member in good standing of the Bar of the District of Columbia and am admitted to practice in Maryland, the U.S. Court of Appeals for Veterans Claims, and the U.S. Court of Appeals for the Federal Circuit. I am also admitted *pro hac vice* in patent cases in the U.S. District Courts for the Northern and Central Districts of California and the Southern District of New York.
4. I have never been suspended or disbarred from practice, nor had any application for admission to practice denied, nor any sanctions or contempt citations imposed by any court or administrative body.
5. 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.
6. I agree to be subject to the 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).

7. I have not applied to appear *pro hac vice* in any proceeding before the Office in the last three (3) years.

8. I have great familiarity with the subject matter at issue in this proceeding. In particular, I am counsel for NPC in related District Court, *Plexxikon Inc. v. Novartis Pharmaceuticals Corp.*, Case No. 4:17-cv-04405-HSG (N.D. Cal) (filed Aug. 3, 2017), in which U.S. Patent No. 9,469,640 is asserted. In connection with that case, I was actively involved in preparing, *inter alia*, NPC's invalidity contentions, which largely overlap with the grounds of invalidity asserted in the instant Petition

11. 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 or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Dated: June 18, 2018



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