

Filed On Behalf Of:

Alnylam Pharmaceuticals, Inc.

By:

Scott K. Reed
sreed@venable.com
212-218-2100

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ALNYLAM PHARMACEUTICALS, INC.,
Petitioner,
v.
SILENCE THERAPEUTICS GMBH,
Patent Owner.

Case PGR2018-00089
U.S. Patent No. 9,790,501

**DECLARATION IN SUPPORT OF PETITIONER'S MOTION
FOR *PRO HAC VICE* ADMISSION OF ROBERT S. SCHWARTZ UNDER
37 C.F.R. § 42.10**

ALNYLAM EXH. 1092
PGR2018-00089

1. I, Robert S. Schwartz, am more than twenty-one years of age, am competent to present this declaration, and have personal knowledge of the facts set forth herein.

2. This declaration is given in support of Petitioner's Motion for *Pro Hac Vice* Admission of Robert S. Schwartz.

3. I am a partner at the law firm of Venable LLP in the New York office.

4. I have been a patent litigation attorney for more than 14 years. I have been litigating patent cases for this entire time period and have been involved in numerous cases involving patent validity and infringement in District Courts across the country. I have extensive experience in bench trials. A significant portion of my work has involved biological and chemical arts, with particular emphasis on pharmaceuticals. I am, therefore, an experienced litigating attorney.

5. I am a member in good standing of the bar of the State of New York. I am also admitted to the bars of the United States District Courts for the Southern and Western Districts of New York, and United States Court of Appeals for the Federal Circuit. I have never been suspended or disbarred from practice before any court or administrative body.

6. No court or administrative body has ever denied my application for admission to practice before it.

7. No court or administrative body has ever imposed sanctions or contempt citations on me.

8. 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.

9. I understand that I will be subject to the Office's 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).

10. I applied to appear and was admitted *pro hac vice* in eight other proceedings before the Office in the last three (3) years: IPR2017-01712, IPR2017-01753, IPR2017-02005, IPR2018-00291, IPR2018-00318, IPR2018-00322, IPR2018-00385, and IPR2018-00797.

11. I have an established familiarity with the subject matter at issue in this proceeding. I have been involved consistently and substantively in this *post grant review* proceeding since its inception in July 2018 and was engaged by Petitioner to work on the proceeding from its outset. Since that time, I have become very familiar with the '501 patent, its prosecution history, and the prior art and other papers cited in the Petition.

12. I have engaged in extensive strategic and substantive discussions regarding this proceeding with Scott K. Reed, who is the lead counsel for Petitioner; Prajakta A. Sonalker who is designated as back-up counsel for Petitioner; and Ha

Kung Wong and Melinda R. Roberts, who are concurrently seeking *pro hac vice* admission to appear in this proceeding. I have also engaged in extensive substantive discussions with Petitioner's expert concerning issues relevant to this proceeding.

13. Therefore, I have an established familiarity with the subject matter at issue in this proceeding.

14. I declare further 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 were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Executed on November 20, 2018

Respectfully submitted,

/s/ Robert S. Schwartz

Robert S. Schwartz
VENABLE LLP
1290 Avenue of the Americas
New York, NY 10104-3800
Tel: (212) 218-2100

Counsel for Petitioner Alnylam
Pharmaceuticals, Inc.