

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTAS PHARMACEUTICALS LTD.
Petitioner,

v.

ATOSSA THERAPEUTICS, INC.
Patent Owner.

CASE: PGR2023-00043

Patent No. 11,572,334

**DECLARATION OF SUSAN M. KRUMPLITSCH IN SUPPORT OF
MOTION TO APPEAR *PRO HAC VICE***

I, Susan M. Krumplitsch, declare as follows:

1. I am more than twenty-one years of age, I have personal knowledge of the facts set forth in this declaration, and, if called as a witness, could and would testify competently under oath.

2. I am a member in good standing of the State Bar of California (Bar No. 241016).

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

4. None of my applications for admission to practice before any court or administrative body have ever been denied.

5. I have never been sanctioned nor have I had a contempt citation 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 Trial set forth in part 42 of 37 C.F.R.

7. I acknowledge and agree that I will 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).

8. I am a Partner in the Life Sciences Patent Litigation practice of DLA Piper LLP (US), based in Palo Alto, California. I am an experienced patent

litigation attorney focusing on pharmaceuticals, biologics, and related life science technologies. I have been practicing for over 18 years, representing pharmaceutical and life science clients in patent infringement suits in federal district courts across the country as well as proceedings before the Patent Trial and Appeal Board.

9. I was most recently admitted *pro hac vice* in a proceeding before the Board in *Mylan Pharmaceuticals Inc. v. Horizon Pharma USA, Inc.*, IPR2018-00272, Paper 67 (PTAB Jun. 10, 2019).

10. My technical background is relevant to the issues in this proceeding, including a M.S. in immunology and infectious diseases from Harvard University School of Public Health. I am very familiar with the subject matter of this proceeding as I have studied and analyzed the field of technology relevant to the challenged '334 patent; the claims, specification and prosecution history of the '334 patent; and the alleged prior art references asserted by Petitioner in this proceeding.

I declare under penalty of perjury that the foregoing is true and correct, and that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true.

Declaration of Susan M. Krumplitsch
PGR2023-00043
U.S. Patent No. 11,572,334

Executed on November 30, 2023 in Palo Alto, California

/s/ Susan M. Krumplitsch
Susan M. Krumplitsch
DLA Piper LLP (US)