IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ALLERGAN, INC., ALLERGAN SALES, LLC, Plaintiffs, v. ALCON, INC., ALCON LABORATORIES, INC., and ALCON RESEARCH, LTD., Defendants.	Civil Action No. 04-968-GMS **REDACTED VERSION**

DECLARATION OF WILLIAM J. MARSDEN, JR. TO OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT OF ALLERGAN'S U.S. PATENT NO. 6,673,337 AND INVALIDITY OF ITS U.S. PATENT NO. 6, 641,834

I, William J. Marsden, Jr., declare as follows:

1. I am a principal at the law firm of Fish & Richardson P.C., and I am counsel for Plaintiffs Allergan, Inc. and Allergan Sales, LLC, in the above-captioned matter.

2. Attached hereto as Exhibit A is a true and correct copy of Alcon's Brimonidine Product Sheet.

3. REDACTED

4. REDACTED

5. REDACTED

6. REDACTED

7. Attached hereto as Exhibit F is a true and correct copy of product literature from Alcon's website.

8. REDACTED

9. Attached hereto as Exhibit H is a true and correct copy of Alcon's Responses 48 and 52 to Allergan's First Set of Requests for Production of Documents and Things (Nos. 1-57).

10. **REDACTED**

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

Dated: May 23, 2005

FISH & RICHARDSON P.C.

By: */s/ William J. Marsden, Jr.*

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CERTIFICATE OF SERVICE

I hereby certify that on May 23, 2005, I electronically filed with the Clerk of Court the REDACTED VERSION OF DECLARATION OF WILLIAM J. MARSDEN, JR. IN SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT OF ALLERGAN'S U.S. PATENT NO. 6,673,337 AND INVALIDITY OF ITS U.S. PATENT NO. 6,641,834 using CM/ECF which will send notification of such filing(s) to the following:

Josy W. Ingersoll, Esq.
Young Conaway Stargatt & Taylor, LLP
The Brandywine Building, 17th Floor
1000 West Street
P.O. Box 391
Wilmington, DE 19899-0391

I hereby certify that on May 23, 2005, I have sent by U.S. Mail, the above document to the following non-registered participants:

Brian D. Coggio, Esq.
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/s/ William J. Marsden, Jr.
William J. Marsden, Jr.

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