

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE PATENT TRIAL AND APPEAL BOARD

-----)  
NOVEN PHARMACEUTICALS )  
INC. AND MYLAN PHARMACEUTICALS, )  
INC., )  
 )  
Petitioner, )  
 )  
vs. )  
 )  
NOVARTIS AG AND LTS )  
LOHMANN THERAPIE-SYSTEME AG, )  
 )  
Patent Owners. )  
-----)

Review No. 2014-00549  
and IPR 2015-

VIDEOTAPED DEPOSITION OF  
CHRISTIAN SCHÖNEICH, Ph.D.  
New York, New York  
April 18, 2015

Reported by: BONNIE PRUSZYNSKI, RMR, RPR, CLR  
JOB NO. 92484

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

April 18, 2015

9:47 A.M.

DEPOSITION OF CHRISTIAN SCHÖNEICH,  
Ph.D., held at the offices of Kenyon & Kenyon, One  
Broadway, New York, New York, before Bonnie Pruszynski,  
a Registered Professional Reporter, Registered Merit  
Reporter, Certified LiveNote Reporter, and Notary  
Public of the State of New York.

1

2 A P P E A R A N C E S :

3

4 KENYON & KENYON

5 Attorneys for Petitioner Noven Pharmaceuticals

6 One Broadway

7 New York, New York 10004

8 BY: MICHAEL GLYNN, Ph.D., Esq.

9 MICHAEL LEVY, ESQ.

10 KULSOOM HASAN, ESQ.

11

12 KNOBBE MARTENS OLSON & BEAR

13 Attorneys for Petitioner Mylan Pharmaceuticals

14 12790 El Camino Real

15 San Diego, California 92130

16 BY: BENJAMIN ANGER, ESQ.

17

18 FITZPATRICK CELLA HARPER & SCINTO

19 Attorneys for Patent Owner

20 1290 Avenue of the Americas

21 New York, New York 10104

22 BY: CHARLOTTE JACOBSEN, ESQ.

23 JARED STRINGHAM, ESQ.

24

25 Also Present: Michael Pineiro, CLVS

1 C. Schöneich, Ph.D.

2 THE VIDEOGRAPHER: This is the  
3 start of tape labeled number one of the  
4 videotape deposition of Christian  
5 Schöneich in the matter Noven  
6 Pharmaceuticals vs. Novartis AG and LTS  
7 Lohmann Therapie-Systeme.

8 Today is April 18th, 2015. The  
9 time is approximately 9:47 a.m.

10 Appearances have already been noted  
11 by the court reporter.

12 Will the court reporter please  
13 swear in the witness.

14 (Witness sworn.)

15 CHRISTIAN SCHONEICH, Ph.D.,

16 called as a witness, having been first  
17 duly sworn, was examined and testified  
18 as follows:

19 EXAMINATION

20 BY MS. JACOBSEN:

21 Q Dr. Schöneich, I'm going to hand  
22 you copies of your declarations that have all  
23 previously been marked in the IPR  
24 proceedings. I'm using copies from the '031  
25 IPR, just so that we all know where the

1 C. Schöneich, Ph.D.

2 documents are coming from.

3 The first one has been marked  
4 Exhibit 1011, and the next one has been  
5 marked Exhibit 1032.

6 And starting with Exhibit 1011, do  
7 you recognize this document?

8 MR. GLYNN: Before we answer  
9 questions on 1011, you of course had the  
10 opportunity to cross-examine  
11 Dr. Schöneich on his opening declaration,  
12 and didn't do that, and instead used the  
13 trial testimony.

14 So, this is not an opportunity to  
15 cross-examine him on that declaration.  
16 This is an opportunity to cross-examine  
17 him on his reply declaration. So, any  
18 questions that only go to the opening  
19 declaration are clearly objectionable and  
20 outside the scope.

21 MS. JACOBSEN: We disagree, but we  
22 can cross that bridge when we come to it.

23 Q So, Dr. Schöneich, starting with  
24 Exhibit 1011, do you recognize that document?

25 A I do.

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.