

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMNEAL PHARMACEUTICALS LLC, PAR PHARMACEUTICAL, INC. and
WOCKHARDT BIO AG,

Petitioners,

v.

JAZZ PHARMACEUTICALS, INC.

Patent Owner

Case IPR2015-00547¹

Patent 7,765,107

**SUPPLEMENTAL DECLARATION OF
JOSEPH T. DIPIRO, PHARM.D.**

¹ Case IPR2015-01820 has been joined with this proceeding.

I, Joseph T. DiPiro, Pharm.D., hereby declare and state as follows:

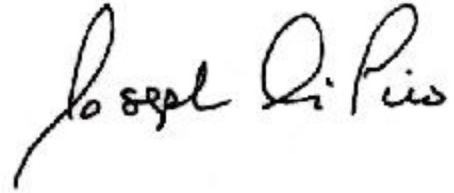
1. I submit this supplemental declaration on behalf of Jazz Pharmaceuticals, Inc. (“Jazz”), Patent Owner of U.S. Patent No. 7,765,107 (the “107 patent”) in connection with this *inter partes* review (“IPR”), Case IPR2015-00547.

2. I have reviewed the deposition testimony of Dr. Glenn A. Van Buskirk submitted as Exhibit 2054 in this IPR.

3. Dr. Van Buskirk’s testimony is consistent with my opinion that a POSA would not be scanning the Federal Register regularly for notices of advisory committee meetings (*see, e.g.*, Ex. 2046 ¶ 53) and that only those with skill exceeding that of a POSA would have a need or motivation to thoroughly read the Federal Register, specifically to find meeting announcements, and even more specifically to search for announcements that contain information concerning the distribution, safety, and abuse of drugs that have not been approved (*see, e.g., id.* ¶ 54). *See also id.* ¶ 56.

4. In my opinion, Dr. Van Buskirk’s testimony is consistent with the actions of a POSA.

Executed this 30th day of November 2015. I declare under penalty of perjury
that the foregoing is true and correct.

A handwritten signature in black ink that reads "Joseph T. DiPiro". The signature is written in a cursive style with a large initial 'J' and 'D'.

Joseph T. DiPiro, Pharm.D.