

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMNEAL PHARMACEUTICALS, LLC and
PAR PHARMACEUTICAL, INC.

Petitioner

v.

JAZZ PHARMACEUTICALS, INC.

Patent Owner

Case IPR2015-00554
Patent 7,668,730

**PETITIONERS' OBJECTIONS TO EVIDENCE SUBMITTED DURING THE
PRELIMINARY PROCEEDING PURSUANT TO 37 C.F.R. § 42.64(B)(1)**

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Pursuant to 37 C.F.R. §42.64(b)(1), Petitioners Amneal Pharmaceuticals LLC and Par Pharmaceutical, Inc. object as follows to the admissibility of evidence submitted during the preliminary proceeding:

1. **JAZZ EXHIBIT 2015** is objected to under Fed. R. Ev. 401–402 because the Exhibit does nothing to show that Par Pharmaceutical Holdings, Inc. has any relation, direction, or control over this proceeding, and is thus irrelevant to the question of whether Par Pharmaceutical Holdings, Inc. is a real-party-in-interest in this proceeding. **JAZZ EXHIBIT 2015** is also objected to under Fed. R. Ev. 403 because its minimal probative value is substantially outweighed by the fact that it is misleading and needlessly cumulative.

2. **JAZZ EXHIBIT 2016** is objected to under Fed. R. Ev. 401–402 because the Exhibit does nothing to show that Par Pharmaceutical Companies, Inc. has any relation, direction, or control over this proceeding, and is thus irrelevant to the question of whether Par Pharmaceutical Companies, Inc. is a real-party-in-interest in this proceeding. **JAZZ EXHIBIT 2016** is also objected to under Fed. R. Ev. 403 because its minimal probative value is substantially outweighed by the fact that it is misleading and needlessly cumulative.

3. **JAZZ EXHIBIT 2017** is objected to under Fed. R. Ev. 401–402 because the section of website presented does nothing to show that Par

Pharmaceutical Companies, Inc. has any relation, direction, or control over this proceeding, and is thus irrelevant to the question of whether Par Pharmaceutical Companies, Inc. is a real-party-in-interest in this proceeding. **JAZZ EXHIBIT 2017** is also objected to under Fed. R. Ev. 403 because its minimal probative value is substantially outweighed by the fact that it is misleading and needlessly cumulative.

4. **JAZZ EXHIBIT 2018** is objected to under Fed. R. Ev. 401–402 because the Exhibit does nothing to show that Par Pharmaceutical Companies, Inc. has any relation, direction, or control over this proceeding, and is thus irrelevant to the question of whether Par Pharmaceutical Companies, Inc. is a real-party-in-interest in this proceeding. **JAZZ EXHIBIT 2018** is also objected to under Fed. R. Ev. 403 because its minimal probative value is substantially outweighed by the fact that it is misleading and needlessly cumulative.

5. **JAZZ EXHIBIT 2019** is objected to under Fed. R. Ev. 401–402 because the Exhibit does nothing to show that Par Pharmaceutical Companies, Inc. has any relation, direction, or control over this proceeding, and is thus irrelevant to the question of whether Par Pharmaceutical Companies, Inc. is a real-party-in-interest in this proceeding. **JAZZ EXHIBIT 2019** is also objected to under Fed. R. Ev. 403 because its minimal probative value is substantially outweighed by the fact that it is misleading and needlessly cumulative.

6. **JAZZ EXHIBIT 2020** is objected to under Fed. R. Ev. 401–402 because the Exhibit does nothing to show that Par Pharmaceutical Companies, Inc. has any relation, direction, or control over this proceeding, and is thus irrelevant to the question of whether Par Pharmaceutical Companies, Inc. is a real-party-in-interest in this proceeding. **JAZZ EXHIBIT 2020** is also objected to under Fed. R. Ev. 403 because its minimal probative value is substantially outweighed by the fact that it is misleading and needlessly cumulative.

7. **JAZZ EXHIBIT 2021** is objected to under Fed. R. Ev. 401–402 because the Exhibit does nothing to show that Par Pharmaceutical Holdings, Inc. has any relation, direction, or control over this proceeding, and is thus irrelevant to the question of whether Par Pharmaceutical Companies, Inc. is a real-party-in-interest in this proceeding. **JAZZ EXHIBIT 2021** is also objected to under Fed. R. Ev. 403 because its minimal probative value is substantially outweighed by the fact that it is misleading and needlessly cumulative.

8. **JAZZ EXHIBIT 2023** is objected to under Fed. R. Ev. 401 because the Exhibit here does nothing to show that Par Pharmaceutical Companies, Inc. has any relation, direction, or control over this proceeding, and is thus irrelevant to the question of whether Par Pharmaceutical Companies, Inc. is a real-party-in-interest in this proceeding. **JAZZ EXHIBIT 2023** is also objected to under Fed. R. Ev. 403 because its minimal probative value is substantially outweighed by the fact

that it is misleading and needlessly cumulative.

9. **JAZZ EXHIBIT 2025** is objected to under Fed. R. Ev. 401 because the Exhibit here does nothing to show that Par Pharmaceutical Companies, Inc. has any relation, direction, or control over this proceeding, and is thus irrelevant to the question of whether Par Pharmaceutical Companies, Inc. is a real-party-in-interest in this proceeding. **JAZZ EXHIBIT 2025** is also objected to under Fed. R. Ev. 403 because its minimal probative value is substantially outweighed by the fact that it is misleading, confusing the issues, and needlessly cumulative. **JAZZ EXHIBIT 2025** is also objected to under Fed. R. Ev. 802 as impermissible hearsay, as it is a statement offered by Jazz Pharmaceuticals, Inc. in an attempt to prove the truth of the matter asserted therein, including, but not limited to, that David Silverstein is employed by Par Pharmaceutical Companies, Inc.

10. **JAZZ EXHIBIT 2026** is objected to under Fed. R. Ev. 401–402 because the Exhibit is a Complaint is for a proceeding unrelated to the present Petition, and fails to in any way demonstrate that Par Pharmaceutical Companies, Inc. has any direction or control over the instant Petition or proceedings sufficient to make them a real party in interest. **JAZZ EXHIBIT 2026** is also objected to under Fed. R. Ev. 403 because its minimal probative value is substantially outweighed by the fact that it is misleading and needlessly cumulative.

11. **JAZZ EXHIBIT 2027** is objected to under Fed. R. Ev. 401–402

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