

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC.

Petitioner

v.

YEDA RESEARCH AND DEVELOPMENT CO. LTD.

Patent Owner

Case No. IPR2015-00830

Patent No. 8,969,302

**DECLARATION OF ELEANOR M. YOST
IN RESPONSE TO PETITIONER'S OBJECTIONS
TO PATENT OWNER'S EVIDENCE**

I, Eleanor M. Yost, declare, depose and state the following:

1. I am counsel to Patent Owner Yeda Research & Development Co. Ltd. in this proceeding.
2. I am making this declaration in response to Petitioner's Objections to Patent Owner's Exhibits in IPR2015-00830, dated December 3, 2015.
3. Exhibit 2028 is a true and accurate copy of slides from a presentation entitled "Forte: Results from a phase III, 1-year, Randomized, Double-Blind, Parallel-Group, Dose Comparison Study with Glatiramer Acetate in Relapse-Remitting Multiple Sclerosis" authored by Giancarlo Comi. These slides were presented at the World Congress on Treatment and Research in Multiple Sclerosis: 2008 Joint Meeting of the American, European, and Latin America Committees on Treatment and Research in Multiple Sclerosis (ACTRIMS, ECTRIMS, LACTRIMS). Petitioner objects to this exhibit as lacking authentication under Fed. R. Civ. P. 901. Patent Owner has also submitted additional evidence authenticating this document. *See* Ex. 2135 (Ziemssen Decl.) at ¶ 98.
4. Exhibit 2031 is a true and accurate copy of the article titled, "*Multiple Sclerosis: Transform Your Clinical Trial with PRA.*" I, or those working

under my direction, downloaded a copy of this article on or about October 28, 2015 to a Goodwin Procter LLP computer.

5. To the extent Petitioner objects to Exhibit 2032 as “incomplete,” the original will be made available for inspection and copying at the law offices of Goodwin Procter LLP, 901 New York Avenue NW, Washington, D.C. 20001.

6. To the extent Petitioner objects to Exhibit 2037 as “incomplete,” a complete copy of the public file history of U.S. Pat. Appl. 11/651,212 is available for inspection and copying at the law offices of Goodwin Procter LLP, 901 New York Avenue NW, Washington, D.C. 20001.

7. Exhibit 2097 is a true and accurate copy of the Avonex® (Interferon beta-1a) IM injection (2008) prescribing information. I, or those working under my direction, downloaded a copy of this document on or about November 14, 2015 to a Goodwin Procter LLP computer.

8. Exhibit 2098 is a true and accurate copy of the Rebif Prescribing Information (2009). I, or those working under my direction, downloaded a copy of this document on or about November 14, 2015 to a Goodwin Procter LLP computer.

9. Exhibit 2099 is a true and accurate copy of the Extavia Highlights of Prescribing Information (2009). I, or those working under my

direction, downloaded a copy of this document on or about November 14, 2015 to a Goodwin Procter LLP computer.

10. Exhibit 2100 is a true and accurate copy of the Curriculum Vitae of Edward J. Fox M.D., Ph.D., FAAN.

11. Exhibit 2104 is a true and accurate copy of the Curriculum Vitae of Dr. Henry George Grabowski.

12. Exhibit 2105 is a true and accurate copy of the List of Testimony of Dr. Henry George Grabowski.

13. Exhibit 2106 is a true and accurate copy of the Documents Relied Upon by Dr. Henry George Grabowski. To the extent Petitioner objects to this exhibit as “incomplete,” the original will be made available for inspection and copying at the law offices of Goodwin Procter LLP, 901 New York Avenue NW, Washington, D.C. 20001.

14. Exhibit 2107 is a true and accurate copy of Table: Approval Timeline, Multiple Sclerosis Drugs. To the extent Petitioner objects to this exhibit as “incomplete,” the original will be made available for inspection and copying at the law offices of Goodwin Procter LLP, 901 New York Avenue NW, Washington, D.C. 20001.

15. Exhibit 2108 is a true and accurate copy of Figure: Copaxone® 40 mg/mL Wholesale Dollar Sales (Q1 2014- Q3 2015). To the extent Petitioner

objects to this exhibit as “incomplete,” the original will be made available for inspection and copying at the law offices of Goodwin Procter LLP, 901 New York Avenue NW, Washington, D.C. 20001.

16. Exhibit 2109 is a true and accurate copy of Figure: Copaxone® 40 mg/mL Extended Units (Q1 2014- Q3 2015). To the extent Petitioner objects to this exhibit as “incomplete,” the original will be made available for inspection and copying at the law offices of Goodwin Procter LLP, 901 New York Avenue NW, Washington, D.C. 20001.

17. Exhibit 2110 is a true and accurate copy of Figure: Copaxone® 40 mg/mL Total Prescriptions (Q1 2014- Q3 2015). To the extent Petitioner objects to this exhibit as “incomplete,” the original will be made available for inspection and copying at the law offices of Goodwin Procter LLP, 901 New York Avenue NW, Washington, D.C. 20001.

18. Exhibit 2111 is a true and accurate copy of Figure: Copaxone® 40 mg/mL New Prescriptions (Q1 2014- Q3 2015). To the extent Petitioner objects to this exhibit as “incomplete,” the original will be made available for inspection and copying at the law offices of Goodwin Procter LLP, 901 New York Avenue NW, Washington, D.C. 20001.

19. Exhibit 2112 is a true and accurate copy of Figure: Multiple Sclerosis Drugs Share of Wholesale Dollar Sales (Q4 2009- Q3 2015). To the

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