

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

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD
PRAXAIR DISTRIBUTION, INC.

Petitioner

v.

INO THERAPEUTICS, LLC,
Patent Owner

Case IPR2015-00529

U.S. Patent No. 8,846,112 B2

The deposition of WARREN P. HEIM,
P.E., was held on Tuesday, February 2, 2016,
commencing at 8:56 a.m., at the Law Offices of
Latham & Watkins, 330 North Wabash Avenue,
Suite 2800, Chicago, Illinois, before Janice M.
Koczek, CSR, CLR, and Notary Public of the
County of Cook, State of Illinois.

1 APPEARANCES:

2 ON BEHALF OF PRAXAIR DISTRIBUTION, INC.

3 BENJAMIN E. WEED, ESQUIRE
4 K&L Gates
5 70 West Madison Street
6 Suite 3100
7 Chicago, Illinois 60602-4207
8 312.372.1121
9 benjamin.weed@klgates.com

7 ON BEHALF OF INO PHARMACEUTICALS, LLC:

8 LATHAM & WATKINS LLP
9 BY: MR. DAVID K. CALLAHAN
10 330 North Wabash Avenue
11 Suite 2800
12 Chicago, Illinois 60611
13 312.876.7700
14 david.callahan@lw.com

12 -and-

13 LATHAM & WATKINS LLP
14 BY: MR. ANDREW J. FOSSUM
15 811 Main Street
16 Suite 3700
17 Houston, Texas 77002
18 713.546.7449
19 andrew.fossum@lw.com

17 ALSO PRESENT:

18 KENNETH D. GOETZ, Mallinckrodt Pharmaceuticals
19 VP, Intellectual Property

20 DONALD A. LOHMAN, Mallinckrodt Pharmaceuticals
21 Associate General Counsel

22
23
24

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

I N D E X

WITNESS EXAMINATION

WARREN P. HEIM, P.E.

By Mr. Weed 6

DEPOSITION EXHIBITS

NUMBER DESCRIPTION PAGE

Praxair Exhibit 1001A
United States Patent 8,573,210 B2
Date of Patent: Nov. 5, 2013

Praxair Exhibit 1001B
United States Patent 8,776,794 B2
Date of Patent: Jul. 15, 2014

Praxair Exhibit 1001C
United States Patent 8,776,795 B2
Date of Patent: Jul. 15, 2014

Praxair Exhibit 1001D
United States Patent 8,291,904 B2
Date of Patent: Oct. 23, 2012

Praxair Exhibit 1001E
United States Patent 8,573,209 B2
Date of Patent: Nov. 5, 2013

Praxair Exhibit 1002A
Declaration of Robert T. Stone, Ph.D.
U.S. Patent No. 8,776,794

Praxair Exhibit 1002B
Declaration of Robert T. Stone, Ph.D.
U.S. Patent No. 8,573,209

Praxair Exhibit 1002C 49
Declaration of Robert T. Stone, Ph.D.
U.S. Patent No. 8,573,210

Praxair Exhibit 1002D 49
Declaration of Robert T. Stone, Ph.D.
U.S. Patent No. 8,291,904

DEPOSITION EXHIBITS		
NUMBER	DESCRIPTION	PAGE
1		
2		
3	Praxair Exhibit 1002E	49
4	Declaration of Robert T. Stone, Ph.D. U.S. Patent No. 8,776,795	
5	Praxair Exhibit 1004	74
6	United States Patent 7,114,510 B2 Date of Patent: Oct. 3, 2006	
7	Praxair Exhibit 1006	142
8	Demande De Brevet D'Invention	
9	Heim Exhibit 1021	24
10	Resume for Warren P. Heim, P.E. from TeamMedical.us Website	
11	Exhibit 2021A	41
12	Declaration of Warren P. Heim, P.E., in Support of Patent Owner's Response to Petition for Inter Partes Review of	
13	U.S. Patent No. 8,291,904	
14	Exhibit 2021B	41
15	Declaration of Warren P. Heim, P.E., in Support of Patent Owner's Response to Petition for Inter Partes Review of	
16	U.S. Patent No. 8,776,795	
17	Exhibit 2021C	41
18	Declaration of Warren P. Heim, P.E., in Support of Patent Owner's Response to Petition for Inter Partes Review of	
19	U.S. Patent No. 8,573,210	
20	Exhibit 2021D	41
21	Declaration of Warren P. Heim, P.E., in Support of Patent Owner's Response to Petition for Inter Partes Review of	
22	U.S. Patent No. 8,573,209	
23		
24		

1	DEPOSITION EXHIBITS		
2	NUMBER	DESCRIPTION	PAGE
3	Exhibit 2021E		41
4		Declaration of Warren P. Heim, P.E.,	
5		in Support of Patent Owner's Response	
		to Petition for Inter Partes Review of	
		U.S. Patent No. 8,776,794	
6	Exhibit 2022		23
7		Curriculum Vitae for Warren P. Heim, P.E.	
8	Exhibit 2042A		
9		Supplemental Declaration of	
10		Warren P. Heim, P.E., in Support of	
		Patent Owner's Response to Petition for	
		Inter Partes Review of U.S. Patent	
		No. 8,291,904	
11	Exhibit 2042B		49
12		Supplemental Declaration of	
13		Warren P. Heim, P.E., in Support of	
14		Patent Owner's Response to Petition for	
		Inter Partes Review of U.S. Patent	
		No. 8,776,794	
15	Exhibit 2042C		49
16		Supplemental Declaration of	
17		Warren P. Heim, P.E., in Support of	
		Patent Owner's Response to Petition for	
		Inter Partes Review of U.S. Patent	
		No. 8,573,209	
18	Exhibit 2042D		49
19		Supplemental Declaration of	
20		Warren P. Heim, P.E., in Support of	
21		Patent Owner's Response to Petition for	
		Inter Partes Review of U.S. Patent	
		No. 8,573,210	
22	Exhibit 2042E		49
23		Supplemental Declaration of	
24		Warren P. Heim, P.E., in Support of	
		Patent Owner's Response to Petition for	
		Inter Partes Review of U.S. Patent	
		No. 8,776,795	

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.