

1 UNITED STATES PATENT AND TRADEMARK OFFICE

2 -----

3 IN THE UNITED STATES PATENT TRIAL AND APPEAL BOARD

4 -----

5 PRAXAIR DISTRIBUTION, INC.

6 Petitioner

7 vs.

8 INO THERAPEUTICS, LLC, d/b/a IKARIA, INC.

9 Patent Owner

10 -----

11 CASE IPR 2015-00884

12 CASE IPR 2015-00888

13 CASE IPR 2015-00889

14 CASE IPR 2015-00891

15 CASE IPR 2015-00893

16 VIDEOTAPED DEPOSITION OF EXPERT WITNESS

17 ROBERT T. STONE, Ph.D.

18 Menlo Park, California

19 Wednesday, December 2, 2015

20
21
22 Reported by:

ANA M. DUB, RMR, CRR, CCRR

23 CSR No. 7445

24
25
Veritext Legal Solutions

www.veritext.com

888-391-3376

1 UNITED STATES PATENT AND TRADEMARK OFFICE

2 -----

3 IN THE UNITED STATES PATENT TRIAL AND APPEAL BOARD

4 -----

5 PRAXAIR DISTRIBUTION, INC.

6 Petitioner

7 vs.

8 INO THERAPEUTICS, LLC, d/b/a IKARIA, INC.

9 Patent Owner

10 -----

11 CASE IPR 2015-00884

CASE IPR 2015-00888

12 CASE IPR 2015-00889

CASE IPR 2015-00891

13 CASE IPR 2015-00893

14
15
16
17
18
19 Deposition of ROBERT T. STONE, Ph.D., taken on
20 behalf of Patent Owner INO Therapeutics, LLC, d/b/a
21 Ikaria, Inc., at the Law Offices of Latham &
22 Watkins, 140 Scott Drive, Menlo Park, California,
23 beginning at 9:05 a.m. and ending at 3:02 p.m. on
24 Wednesday, December 2, 2015, before Ana M. Dub, RMR,
25 CRR, CCRR, Certified Shorthand Reporter No. 7445.

1 APPEARANCES:

2
3 For Petitioner Praxair Distribution, Inc.:

4 K&L GATES

5 BY: BENJAMIN E. WEED

6 Attorney At Law

7 70 West Madison Street, Suite 3100

8 Chicago, Illinois 60602-4207

9 312.781.7166

10 benjamin.weed@klgates.com

11
12
13 For Patent Owner INO Therapeutics, LLC, d/b/a
14 Ikaria, Inc.:

15 LATHAM & WATKINS LLP

16 BY: DAVID K. CALLAHAN

17 Attorney At Law

18 330 North Wabash Avenue, Suite 2800

19 Chicago, Illinois 60611

20 312.876.7700

21 david.callahan@lw.com

1 APPEARANCES (Cont.):

2
3 For Patent Owner INO Therapeutics, LLC, d/b/a
4 Ikaria, Inc.:

5 LATHAM & WATKINS LLP

6 BY: ANDREW J. FOSSUM

7 Attorney At Law

8 811 Main Street, Suite 3700

9 Houston, Texas 77002

10 713.546.7449

11 andrew.fossum@lw.com

12
13
14 ALSO PRESENT:

15 Kenneth D. Goetz, Mallinckrodt Pharmaceuticals

16 Keith Stephens, Videographer

INDEX

WITNESS		EXAMINATION
---------	--	-------------

ROBERT T. STONE, Ph.D.		
------------------------	--	--

	BY MR. CALLAHAN	7
--	-----------------	---

	AFTERNOON SESSION	137
--	-------------------	-----

	BY MR. CALLAHAN (Resumed)	137
--	---------------------------	-----

	BY MR. WEED	175
--	-------------	-----

Number	Description	Page
--------	-------------	------

Exhibit 2016	United States Patent No. 5,913,309	168
--------------	---------------------------------------	-----

Exhibit 2017	Color Copy of English Translation of Exhibit 1011	158
--------------	---	-----

Exhibit 2018	Color Copy Blowup of Flip Side of Brochure	158
--------------	---	-----

Exhibit 2019	Color Copy of Photographs of Praxair Nitric Oxide Delivery System NoMix	174
--------------	---	-----

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.