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UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE PATENT TRIAL AND APPEAL BOARD  
Case IRP2015-00990 and IPR 2015-01093  
Patent 7,056,886

-----x  
COALITION FOR AFFORDABLE DRUGS II LLC,  
Petitioner,

- against -

NPS PHARMACEUTICALS, INC.,  
Patent Owner.

-----x  
March 23, 2016  
9:42 a.m.

\*\* HIGHLY CONFIDENTIAL \*\*

Videotaped Deposition of GORDON  
RAUSSER, Ph.D., taken by Petitioner,  
pursuant to Notice, held at the offices of  
Troutman Sanders LLP, 875 Third Avenue,  
New York, New York, before Jineen Pavesi,  
a Registered Professional Reporter,  
Registered Merit Reporter, Certified  
Realtime Reporter and Notary Public of the  
State of New York.

CFAD Exhibit 1077  
CFAD v. NPS  
IPR2015-00990

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2 A P P E A R A N C E S :

3

4 MERCHANT & GOULD P.C.

5 191 Peachtree Street N.E.

6 Suite 3800

7 Atlanta, Georgia 30303

8 Attorneys for Petitioner

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18 HEATHER MOREHOUSE ETTINGER, Ph.D.,

19 ESQ.

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21

22

23 ALSO PRESENT:

24 MARGO FURMAN, Ph.D, JD, Shire

25 DEVERELL WRITE, The Video Technician

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THE VIDEO TECHNICIAN: We are on the record.

Please note that the microphones are sensitive and may pick up whispering and private conversations.

My name is Deverell Write representing Veritext Legal Solutions, today's date is March 23, 2016, and the time on the video monitor is approximately 9:42 a.m.

This deposition is being held at the offices of Troutman Sanders located at 875 Third Avenue, New York, New York, and it is being taken by counsel for the petitioner.

The caption of this case is Coalition for Affordable Drugs II LLC versus NPS Pharmaceuticals Incorporated, this case is filed in the U.S. Patent and Trademark Office, Case No. IPR 2015-00990, patent 7,056,886.

The name of the witness is Dr. Gordon Rausser.

MR. ROBINSON: It is also in

1

2 another IPR.

3

MR. BLAKE: Yes, it is also in  
4 IPR 2015-01093.

5

MR. ROBINSON: Concerning the  
6 same patent.

7

THE VIDEO TECHNICIAN: Thank  
8 you.

9

At this time will counsel  
10 please state appearances.

11

MR. BLAKE: Jeffrey Blake of  
12 the firm of Merchant & Gould on behalf of  
13 petitioner, Coalition For Affordable Drug  
14 Products II LLC.

15

MR. ROBINSON: Joseph Robinson,  
16 Heather Ettinger and Margo Furman on  
17 behalf of patent owner NPS  
18 Pharmaceuticals.

19

G O R D O N R A U S S E R,  
20 having first been duly sworn by a Notary  
21 Public of the State of New York, was  
22 examined and testified as follows:

23

EXAMINATION BY

24

MR. BLAKE:

25

Q. Good morning, Mr. Rausser.

1 RAUSSER - HIGHLY CONFIDENTIAL

2 A. Good morning.

3 Q. My name is Jeff Blake, I am the  
4 attorney here on behalf of the petitioner  
5 in the two IPRs for which you're giving  
6 deposition testimony today.

7 Let me start out by asking,  
8 have you been deposed before?

9 A. Yes.

10 Q. Approximately how many times?

11 A. I have not kept count, but more  
12 than a hundred, less than 300.

13 Q. Fair enough.

14 So you're generally familiar  
15 with the rules, but I will just give you  
16 some of the basics today.

17 I'm going to be asking you  
18 questions today, I would ask that you not  
19 interrupt me while I'm asking the  
20 questions and I'll similarly not interrupt  
21 you when you're providing the answers.

22 Is that acceptable?

23 A. Yes.

24 Q. Your counsel from time to time  
25 may raise objections; unless he instructs

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