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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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COALITION FOR AFFORDABLE DRUGS II LLC  
Petitioner

v.

NPS PHARMACEUTICALS, INC.  
Patent Owner

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Case No. IPR2015-01093  
Patent 7,056,886

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**REPLY DECLARATION OF  
ANTHONY PALMIERI III, Ph.D., R.Ph.**

CFAD Exhibit 1041  
CFAD v. NPS

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I, Dr. Anthony Palmieri III, hereby declare and state as follows:

## **I. INTRODUCTION**

1. I previously submitted a Declaration in IPR2015-00990 (Ex. 1001) setting forth my background and credentials. My curriculum vitae (Ex. 1002) sets forth my education and experience in further detail.
2. In forming the opinions set forth herein, I have considered the documents and exhibits referenced by Patent Owner and those referenced by Dr. Carpenter in his Declaration (Ex. 2148). I have also relied on my own experience, knowledge, and considered the documents referenced in my initial Declaration (Ex. 1001). Furthermore, I considered the documents discussed herein that are responsive to the arguments and positions taken by Dr. Carpenter.
3. I understand that the Board found that the Petitioner established that there is a reasonable likelihood that it will prevail with respect to at least one of the challenged claims in U.S. Patent No. 7,056,886 and, thus, instituted an *inter partes* review on the following grounds in IPR2015-01093:

Ground 1 - Claims 1-27, 33-35, 38, and 45 as obvious over the combination of Drucker '379, Kornfelt, and Osterberg;

Ground 2 - Claims 31, 32, and 44 as obvious over the combination of Drucker '379, Kornfelt, Osterberg, and Munroe;

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