

1
2 UNITED STATES PATENT AND TRADEMARK OFFICE
3 BEFORE THE PATENT TRIAL AND APPEAL BOARD

4 CASE NO.: IPR2015-00990

5 Patent: 7,056,886

6 COALITION FOR AFFORDABLE DRUGS, II, LLC,

7 Petitioner,

8 vs.

9 NPS PHARMACEUTICALS, INC.,

10 Patent Owner.

11 -----
12 VIDEO DEPOSITION

13 OF

14 ANTHONY PALMIERI, III, Ph.D.

15 taken on behalf of the Patent Owner
16 pursuant to a Notice of Taking Deposition
17 HIGHLY CONFIDENTIAL - Attorneys Eyes Only

18 DATE: Wednesday, May 11, 2016

19 TIME: 9:18 a.m.

20 PLACE: Hilton Conference Center
21 1714 Southwest 34th Street

22 Gainesville, Florida

23 REPORTER: Ingrid T. Cox, RPR

24 Notary Public, State of Florida at Large

25 Job no. 107130

NPS Ex. 2171
CFAD v. NPS
IPR2015-01093

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES:

MATTHEW FEDOWITZ, ESQUIRE
Merchant & Gould
1701 Duke Street
Alexandria, Virginia 22314
Attorneys for Petitioner.

JOSEPH ROBINSON, ESQUIRE
HEATHER MOREHOUSE ETTINGER, ESQUIRE
Troutman Sanders
875 Third Avenue
New York, New York 10022
Attorneys for Patent Owner.

ALSO PRESENT:

JACK LUBRANT, Videographer

I N D E X

WITNESS:	PAGE
ANTHONY PALMIERI, III, Ph.D.	
Examination by Mr. Robinson	324

	E X H I B I T S	
1	NUMBER	PAGE
2		
3		
4	Composite Exhibit 2500 (Reply Declaration)	324
5		
6	Exhibit 2501 (Pharmaceutical Education)	326
7	Exhibit 2502 (Dissolution of Suppositories V)	328
8		
9	Exhibit 2503 (Dissolution of Suppositories IV)	331
10	Exhibit 2504 (Portrait of Rocky Mountain Drug Wholesaling)	331
11		
12	Exhibit 2505 (Dissolution of Suppositories III)	331
13	Exhibit 2506 (Pharmaceutical Technology)	331
14		
15	Exhibit 2507 (Medical Incidents)	331
16	Exhibit 2508 (Drug Development and Industrial Pharmacy)	331
17		
18	Exhibit 2509 (Microencapsulation and Dissolution)	331
19	Exhibit 2510 (A Model for Multivariate Prediction)	331
20		
21	Exhibit 2511 (An Undergraduate Experiment)	331
22	Exhibit 2512 (Drug Therapy at a Frontier Fort Hospital)	331
23		
24	Exhibit 2513 (Effect of Dissolved Oxygen Levels)	331
25	Exhibit Number 2514 - no exhibit marked	

	E X H I B I T S (cont.)	
	NUMBER	PAGE
1		
2		
3	Exhibit 2515	
4	(Dissolution of Prednisone Microcapsules)	331
5	Exhibit 2516	
6	(Production of a Coacervate Film)	331
7	Exhibit 2517	
8	(Multivariate Prediction of Academic Success)	331
9	Exhibit 2518	
10	(A Student Experiment in Biopharmaceutics)	331
11	Exhibit 2519	
12	(Scholarly Open Access article)	336
13	Exhibit 2520	
14	(WO 98/25955)	353
15	Exhibit 2521	
16	(Label for GATTEX)	423
17	Exhibit 2522	
18	(Protein Therapeutics)	492
19	Exhibit 2523	
20	(Definition of well versed)	510
21	Exhibit 2524	
22	(Figure 3)	513
23	Exhibit 2525	
24	(History and Development of Incretin Therapy)	518
25	Exhibit 2526	
	(Citation: CFR 445 1999)	539
	Exhibit 2527	
	(Definition of micelle)	548
	Exhibit 2528	
	(Investigation of Histidine)	645
	Exhibit 2529	
	(DHEA Sulfate)	659

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

E X H I B I T S (cont.)

NUMBER	PAGE
Exhibit 2530 (Particulate Matter in Injections - 1985)	692
Exhibit 2531 (Particulate Matter in Injections - 2000)	695

REPORTER'S KEY TO PUNCTUATION:

-- At the end of question or answer references interruption.

... References a trail-off by the speaker. No testimony was omitted.

"Uh-huh" References an affirmative sound.

"Uh-uh" References a negative sound.

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.