UNITED STATES P	ATENT AND TRA	DEMARK OFFICE
BEFORE THE PAT	TENT TRIAL AND	APPEAL BOARD
	APOTEX CORP. APOTEX, INC. Petitioner	
	V.	
_	ALLERGAN, INC. Patent Owner	
C	Case IPR2015-01282 Patent 8,629,111	2

PATENT OWNER ALLERGAN, INC.'S PRELIMINARY RESPONSE



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2.	Increasing the amount of castor oil in the emulsion would be expected to reduce the thermodynamic activity of the emulsion	
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B.	During prosecution the Examiner agreed that the performance of the claimed emulsion relative to the Ding '979 patent emulsions was unexpected	8
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C.	Claims 1-10, 12-15, and 17-27 would not have been obvious over Ding '607/Ding '979 plus Sall	8



1.	The inventors proceeded contrary to the teachings of the prior art and developed an emulsion that has surprising therapeutic efficacy against dry eye disease	
2.	There was no reasonable expectation that increasing castor of concentration would increase therapeutic efficacy	
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LIST OF EXHIBITS

Exhibit No.	Description
EX. 2001	NDA 21-023 Cyclosporine Ophthalmic Emulsion 0.05%, Original NDA Filing, Vol. 1 (Feb. 24, 1999)
EX. 2002	U.S. Pat. No. 4,839,342
EX. 2003	Said et al., Investigative Opthamology & Visual Science, vol. 48, No. 11 (Nov. 2007):5000-5006
EX. 2004	Alba et al., Folia Ophthalmol. Jpn. 40:902-908 (1989)
EX. 2005	Stedman's Medical Dictionary, definition of therapeutic
EX. 2006	Dorland's Illustrated Medical Dictionary, definition of therapeutic
EX. 2007	Stedman's Medical Dictionary, definition of palliative



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