UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PHARMACOSMOS A/S,
Petitioner,

v.

LUITPOLD PHARMACEUTICALS, INC.,
Patent Owner.

IPR2015-01490; Patent 7,754,702 B2

PATENT OWNER
MOTION TO EXCLUDE

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I. INTRODUCTION

Under 37 C.F.R. § 42.64(c) and the Scheduling Order (Paper 12), Luitpold Pharmaceuticals ("Patent Owner") moves to exclude Pharmacosmos Exs. 1055, 1056, 1057, 1059, 1060, 1061, and 1063, and the objected-to portions of Ex. 1054, the transcript from the deposition of Dr Adriana Manzi, on the following grounds:

Exhibit	**Reason to Exclude**
1055/ 1056	Exs. 1055 and 1056 (Wang and Online Supplementary Content) were published in **2015** and should not be relied on for evidence of the state of the art as of **January 2006** – the effective filing date, 9 years earlier.
1057	Same. Ex. 1057 (Keating) published in **2015** and should not be relied on for evidence of the state of the art as of **January 2006** – the effective filing date, nine years earlier.
1059	Same. Ex. 1059 (Galencia), purportedly published in **2016**, is not authenticated and should not be relied on for evidence of the state of the art as of **January 2006**, 10 years later.
1060	Ex. 1060 (mouse weight) is not authenticated and not relevant.
1061	Ex. 1061 is an unauthenticated webpage purportedly from the San Diego Zoo website and not relevant
1063	Ex. 1063 is an unauthenticated article from a website accessed in **2016**

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