

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COALITION FOR AFFORDABLE DRUGS X LLC,
Petitioner,

v.

ANACOR PHARMACEUTICALS, INC.,
Patent Owner.

Case No. IPR2015-01776
Patent No. 7,582,621

**PATENT OWNER'S OBJECTIONS TO PETITIONER'S
DEMONSTRATIVES**

Pursuant to the Board's Trial Hearing Order (Paper 59), Patent Owner conferred with Petitioner, and hereby provides a listing of objections to Petitioner's demonstratives.

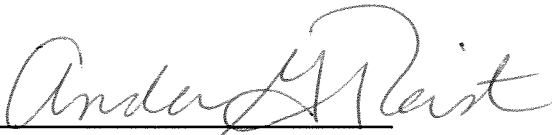
The argument in the third bullet on Slides 72 and 73 is not supported by the cited evidence, the cited evidence is not evidence on which Petitioner is permitted to rely, and the argument is not present in the petition (Paper 1) or reply (Paper 47).

The testimony at Ex. 2033, 188:12-189:18 in Slides 72 and 73 is cross-examination testimony of Petitioner's own witness, Dr. Kahl. The cited cross-examination testimony of Dr. Kahl is impermissible because it does not support the content of the third bullet on Slides 72 and 73, and the citation mischaracterizes the record. *St. Jude Medical, Cardiology Division, Inc. v. The Board of Regents of the University of Michigan*, IPR2013-00041 (PTAB Jan. 27, 2014) (Paper 65, p. 3).

The cross-examination testimony at Ex. 2033, 188:12-189:18 is not cited in the petition or reply, nor was the subject matter of this testimony, much less how it relates to the argument in the third bullet on Slides 72 and 73, otherwise previously presented or discussed in the petition or reply. "The final oral hearing is not an opportunity for a party to expand upon its reliance on declaration testimony, in a manner not already previously presented." *CBS Interactive Inc. v. Helferich Patent Licensing, LLC*, IPR2013-00033 (PTAB Oct. 23, 2013) (Paper 118, p. 5).

Date: October 31, 2016

Respectfully submitted,

By 

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, I hereby certify that on this 31st day of October 2016, the foregoing Patent Owner's Objections to Petitioner's Demonstratives was served by electronic mail, by agreement of the parties, on the following counsel of record for petitioner.

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Date: October 31, 2016



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