

1 THE UNITED STATES PATENT AND TRADEMARK OFFICE

2 _____
3 BEFORE THE PATENT TRIAL AND APPEAL BOARD

4 _____
5 COALITION FOR AFFORDABLE DRUGS VIII LLC

6 Petitioner

7 v.

8 THE TRUSTEES OF THE UNIVERSITY OF PENNSYLVANIA

9 Patent Owner

10 _____
11 Case IPR2015-01836

12 U.S. Pat. No. 7,932,268

13 Case IPR2015-01835

14 U.S. Pat. No. 8,618,135 B2
15 _____

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17
18 DEPOSITION OF RANDALL M. ZUSMAN, M.D.

19 Boston Massachusetts

20 Tuesday, October 4, 2016

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23
24 Reported by: Dana Welch, CSR, RPR, CRR, CRC

25 Job No: 113300

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October 4, 2016

9:01 a.m.

Deposition of RANDALL M. ZUSMAN, M.D.,
held at the offices of GOODWIN PROCTER, 100
Northern Avenue, Boston, Massachusetts, pursuant to
Notice, before Dana Welch, Certified Shorthand
Reporter, Registered Professional Reporter,
Certified Realtime Reporter, and Notary Public of
the Commonwealth of Massachusetts.

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17 - and -

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21 BY: KEVIN PRUSSIA, ESQ.

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23

24

25

1 ZUSMAN

2 P R O C E E D I N G S

3 RANDALL M. ZUSMAN, M.D., sworn

4 EXAMINATION

5 BY MS. HARDMAN:

6 Q. Good morning.

7 A. Good morning.

8 Q. Will you please state your name for the
9 record.

10 A. Randall Mark Zusman.

11 Q. I know you've had your deposition taken
12 before, so I'll keep it short.

13 If I ask any questions today that are
14 unclear, will you please let me know and I'll try
15 to rephrase them.

16 A. Yes, I will.

17 Q. Is there any reason today that you can't
18 give accurate testimony?

19 A. No, there's not.

20 Q. Okay. I handed you what's been
21 previously -- well, I've handed you your
22 declarations from two IPRs, the IPR of 2015-01835
23 and 2015-01836.

24 Are these declarations you submitted in
25 these IPRs?

1 ZUSMAN

2 A. Yes, they are.

3 Q. Is there any substantive difference
4 between the two declarations?

5 A. No. I don't believe there is.

6 Q. So just for clarity, if we could just
7 primarily refer to the version from the 01835
8 today.

9 A. 35, okay.

10 Q. So this is a supplemental declaration and
11 it's directed to two separate papers. It's in
12 support of the petition and in opposition to the
13 motion to amend; is that correct?

14 A. That's correct.

15 Q. And how was this declaration prepared?

16 A. Well, after I gave my -- or provided my
17 original report, and after my deposition, I believe
18 plaintiff's experts provided their reports, and
19 this is a declaration in response to those reports.
20 I conferred with counsel for CFAD and we went back
21 and forth in terms of the content of the report,
22 eventually resulting in the document that you see
23 here.

24 Q. And besides counsel, did anybody assist in
25 the preparation of this declaration?

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