

RECORD OF ORAL HEARING  
UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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AMNEAL PHARMACEUTICALS LLC and  
PAR PHARMACEUTICAL, INC.,  
Petitioners,

v.

JAZZ PHARMACEUTICALS, INC.,  
Patent Owner.

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Case IPR2015-01903

Patent 8,731,963

Technology Center 2800

Before: HONORABLE JACQUELINE WRIGHT  
BONILLA, SUSAN L.C. MITCHELL, and BRIAN P. MURPHY,  
Administrative Patent Judges.

The above-entitled matter came on for hearing on Friday,  
October 14, 2016, at 10:00 a.m., hearing room A, taken at the U.S. Patent  
and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

Reported by: Elizabeth Mingione, RPR

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P R O C E E D I N G S

(10:00 a.m.)

JUDGE MURPHY: Okay. Good morning.

Welcome back to the Board. We will now hear oral arguments in Case IPR2015-01903, Amneal Pharmaceuticals LLC, and Par Pharmaceutical, Inc. Versus Jazz Pharmaceuticals, Inc.

This case concerns patentability of certain claims in U.S. Patent Number 8,731,963. I'm Judge Murphy. We also have Judge Bonilla and Judge Mitchell on the bench today.

Counsel, please introduce yourselves for the record.

MR. BERMAN: Rich Berman, on behalf of Par Pharmaceutical. And with me is Gary Coad.

MR. CERRITO: Good morning, Your Honors. Nice to speak before Your Honors again.

Nick Cerrito, Gabe Brier, and Frank Calvosa from Quinn, Emanuel, Urquhart and Sullivan, on behalf of Jazz.

JUDGE MURPHY: Thank you, Counsel. And welcome back to the Board.

Okay. I think everyone understands the rules. Petitioner will go first. You have the burden of proof on unpatentability.

1                   Each side has 30 minutes. Petitioner may reserve  
2 rebuttal time.

3                   I'm not sure if you were here last time when  
4 we had our new countdown clock or not, but we have a  
5 new countdown clock. So you'll -- if I work it correctly,  
6 you'll get a two-minute yellow light warning.

7                   So, Mr. Berman, you may reserve rebuttal  
8 time. And, Mr. Cerrito, also 30 minutes for Patent Owner.  
9 You may not reserve rebuttal time.

10                  I remind everyone it's a public hearing. There  
11 will be a public record transcript after the hearing, as you  
12 know.

13                  I don't think we received any demonstratives.  
14 Is that correct or incorrect?

15                  MR. CERRITO: That's correct, Your Honor.

16                  MR. BERMAN: Yes. That's correct.

17                  JUDGE MURPHY: Okay. All right. So we  
18 won't have to worry about identifying slide numbers for  
19 the transcript, so that's fine. Let's see, what else? So I  
20 guess that's it.

21                  Mr. Berman, do you wish to -- how much time  
22 do you wish opening and do you wish any rebuttal?

23                  MR. BERMAN: Yes. I would like five  
24 minutes for my opening and 25 for rebuttal.

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