

- VOLUME 4 -

IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE DISTRICT OF DELAWARE

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3			
4	NOVARTIS PHARMACEUTICALS	:	CIVIL ACTION
5	CORPORATION and NOVARTIS	:	
6	AG,	:	
7	Plaintiffs,	:	
8		:	
9	vs.	:	
10		:	
11	BRECKENRIDGE	:	
12	PHARMACEUTICALS INC.,	:	NO. 14-1043 (RGA)
13	Defendant.	:	
14	-----	:	CIVIL ACTION
15	NOVARTIS PHARMACEUTICALS	:	
16	CORPORATION and NOVARTIS	:	
17	AG,	:	
18	Plaintiffs,	:	
19		:	
20	vs.	:	
21		:	
22	ROXANE LABORATORIES,	:	
23	INC.,	:	
24	Defendant.	:	NO. 14-1196 (RGA)
	-----	:	
	NOVARTIS PHARMACEUTICALS	:	CIVIL ACTION
	CORPORATION and NOVARTIS	:	
	AG,	:	
	Plaintiffs,	:	
		:	
	vs.	:	
		:	
	PAR PHARMACEUTICAL,	:	NO. 14-1289 (RGA)
	INC.,	:	
	Defendant.	:	

Wilmington, Delaware  
Thursday, September 1, 2016  
8:30 o'clock, a.m.

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BEFORE: HONORABLE RICHARD G. ANDREWS, U.S.D.C.J.

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

1  
2  
3 (Proceedings commenced in the courtroom,  
4 beginning at 8:30 a.m.)  
5

6 THE COURT: All right. Good  
7 morning. Please be seated. Let's continue.

8 MR. ZULLOW: May we call our next  
9 witness?

10 THE COURT: Yes.

11 MR. ZULLOW: Defendants call Dr.  
12 Tullius to the stand.

13 THE COURT: All right.

14 MR. ZULLOW: Dr. Tullius is an  
15 expert in transplant surgery and  
16 immunosuppression and he'll be testifying about  
17 the invalidity of the '124 and '518 patents and  
18 he'll provide some information about what was  
19 known in the art in 1992, October of 1992.

20 THE COURT: Okay.

21 ... STEFAN TULLIUS, having been  
22 duly sworn as a witness, was examined  
23 and testified as follows...

24 MR. ZULLOW: Your Honor, may I

1 BY MR. LOH:

2 Q. As of today, patients will better  
3 adhere to an immunosuppressant drug regimen in  
4 which the drugs can be coadministered at the  
5 same time; is that correct?

6 A. Can you please repeat the  
7 question?

8 Q. As of today, patients will better  
9 adhere to an immunosuppressant drug regimen in  
10 which the drugs can be co-administered at the  
11 same time?

12 A. Correct.

13 Q. By contrast, taking drugs four  
14 hours apart will not result in a treatment  
15 regimen that you want?

16 A. That will be much more difficult  
17 for a patient to take this treatment, yes.

18 Q. Dr. Tullius, I want to leave the  
19 '772 patent behind now and talk about the '518  
20 and '124 patents. Okay?

21 A. Mm-hmm.

22 Q. And before we begin this  
23 discussion of the '518 and '124 patents, you  
24 understand that a person of ordinary skill in