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UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

-----)
PAR PHARMACEUTICAL, INC.,)
BRECKENRIDGE PHARMACEUTICAL,)
INC., and ROXANE LABORATORIES,)
INC.,)
Petitioners,)

vs.

NOVARTIS AG,)
Patent Owner.)
-----)

) Case IPR2016-00084
) U.S. Patent No.
) 5,665,772

DEPOSITION OF ALEXANDER M. KLIBANOV, Ph.D.
New York, New York
November 14, 2016

Reported by: BONNIE PRUSZYNSKI, RMR, RPR, CLR
JOB NO. 115233

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November 14, 2016
9:11 A.M.

DEPOSITION OF ALEXANDER M.

KLIBANOV, Ph.D., held at the offices of
Fitzpatrick, Cella, Harper & Scinto, 1290 Avenue
of the Americas, New York, New York, before Bonnie
Pruszynski, a Registered Professional Reporter,
Registered Merit Reporter, Certified Livenote
Reporter, and Notary Public of the State of New
York.

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A P P E A R A N C E S:

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MERCHANT & GOULD

Attorneys for Breckenridge Pharmaceutical, Inc.

1900 Duke Street

Alexandria, VA 22314

BY: MARY BRAM, ESQ. (telephonic appearance)

1 A. Klibanov

2 (Witness sworn.)

3 ALEXANDER M. KLIBANOV, Ph.D.,

4 called as a witness, having been first
5 duly sworn, was examined and testified
6 as follows:

7 EXAMINATION

8 BY MR. BROWN:

9 Q. Good morning, Dr. Klibanov.

10 A. Good morning, Mr. Brown. 09:11

11 MR. BROWN: Could we just go ahead
12 and mark his declaration.

13 A. Thank you.

14 Q. So, Doctor, I have shown you what's
15 been marked as Novartis 2092. Do you 09:11
16 recognize this document?

17 A. It seems to be a portion of my
18 declaration.

19 Q. And by a portion of your
20 declaration, do you mean excluding the 09:12
21 exhibits?

22 A. Yes.

23 Q. And other than excluding the
24 exhibits, does this appear to be the textual
25 portion of your declaration? 09:12

1 A. Klibanov

2 A. It seems that way. Of course, I
3 haven't compared it with what I recall my
4 declaration to be. But the signature on
5 page 99 is clearly a facsimile of my 09:12
6 signature. It seems to be my declaration.

7 And on this note, sir, at your
8 convenience, as I was reviewing my
9 declaration in my hotel room yesterday, I
10 found a couple of clerical errors that I 09:12
11 would like to correct when it's convenient
12 for you.

13 Q. Why don't you show me what those
14 are now.

15 A. Sure. 09:13

16 (Discussion held off the record.)

17 (Mary Bram is present by phone.)

18 MS. SCHWARZ: Is there anyone else
19 on the line?

20 BY MR. BROWN: 09:15

21 Q. Could you find -- oh, let's -- I'm
22 sorry. Where we were before the break, you
23 were going to point out clerical issues or
24 other errors in your report.

25 A. There are no other errors. There 09:15

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