

Transcript of **DeForest McDuff**, **Ph.D**.

December 8, 2016

Argentum Pharmaceuticals LLC v. Research Corporation Technologies, Inc.

Alderson Reporting 1-800-367-3376 info@aldersonreporting.com http://www.aldersonreporting.com

Alderson Reference Number: 67494



| | Page 1 | | |
|----|---|--|--|
| 1 | UNITED STATES PATENT AND TRIAL APPEAL BOARD | | |
| 2 | X | | |
| 3 | ARGENTUM PHARMACEUTICALS LLC, : | | |
| 4 | Petitioner, : Case No. | | |
| 5 | v. : IPR2016-00204 | | |
| 6 | RESEARCH CORPORATION : Patent No. | | |
| 7 | TECHNOLOGIES, INC., : RE 38,551 | | |
| 8 | Respondent. : | | |
| 9 | X | | |
| 10 | Washington, D.C. | | |
| 11 | Thursday, December 8, 2016 | | |
| 12 | Deposition of DEFOREST MCDUFF, Ph.D., a | | |
| 13 | witness herein, called for examination by counsel for | | |
| 14 | Respondent in the above-entitled matter, pursuant to | | |
| 15 | notice, the witness being duly sworn by MARY GRACE | | |
| 16 | CASTLEBERRY, a Notary Public in and for the District | | |
| 17 | of Columbia, taken at the offices of Covington, 850 | | |
| 18 | 10th Street, N.W., Washington, D.C., at 8:48 a.m., | | |
| 19 | Thursday, December 8, 2016, and the proceedings being | | |
| 20 | taken down by Stenotype by MARY GRACE CASTLEBERRY, | | |
| 21 | RPR, and transcribed under her direction. | | |
| 22 | | | |
| | | | |



| | | Page 2 |
|----|--------------------------------------|--------|
| 1 | APPEARANCES: | |
| 2 | | |
| 3 | On behalf of the Petitioner: | |
| 4 | MATTHEW J. DOWD, ESQ. | |
| 5 | Dowd, PLLC | |
| 6 | 1717 Pennsylvania Avenue, N.W. | |
| 7 | Washington, D.C. 20006 | |
| 8 | (202) 573-3853 | |
| 9 | | |
| 10 | On behalf of Respondent: | |
| 11 | ANDREA G. REISTER, ESQ. | |
| 12 | EMILY KVESELIS, ESQ. | |
| 13 | Covington & Burling | |
| 14 | 850 Tenth Street, N.W. | |
| 15 | Washington, D.C. 20001 | |
| 16 | (202) 662-6000 | |
| 17 | and | |
| 18 | DEREK FAHNESTOCK, ESQ. | |
| 19 | Morris, Nichols, Arsht & Tunnell | |
| 20 | 1201 North Market Street, 16th Floor | |
| 21 | Wilmington, Delaware 19899-1347 | |
| 22 | (302) 351-9347 | |
| | | |
| | | |



```
Page 3
     APPEARANCES: (Continued)
 2
          On behalf of Mylan:
 3
                 JAD A. MILLS, ESQ.
                 Wilson Sonsini Goodrich & Rosati
 5
                701 5th Avenue, Suite 5100
 6
                Seattle, Washington 98104
 7
 8
                (206) 883-2554
 9
10
         ALSO PRESENT:
11
                 TYLER LIU, ESQ.
12
                Argentum
13
14
15
16
17
18
19
20
21
22
```



| | | | Page 4 | | |
|----|-------------------------------------|--------------|----------------|--|--|
| 1 | C O N T | TENTS | rage 4 | | |
| 2 | WITNESS | EXAMINATION | BY COUNSEL FOR | | |
| 3 | DEFOREST MCDUFF, Ph.D. | PETITIONER | RESPONDENT | | |
| 4 | BY MS. REISTER | | 7 | | |
| 5 | BY MR. DOWD | 158 | | | |
| 6 | BY MS. REISTER | | 185 | | |
| 7 | AFTERNOON SESSION -125 | | | | |
| 8 | | | | | |
| 9 | EXHIBITS | | | | |
| 10 | EXHIBIT | | PAGE | | |
| 11 | NO. 1: Excerpt from Acord | da vs. Alkem | 45 | | |
| 12 | September 21, 2016 trial transcript | | | | |
| 13 | NO. 2: Excerpt from UCB v | s. Accord | 69 | | |
| 14 | November 13, 2015 trial transcript | | | | |
| 15 | PREVIOUSLY MARKED EXHIBITS | 5 | REFERENCED | | |
| 16 | NO. 1086: | | 9 | | |
| 17 | NO. 1088: | | 9 | | |
| 18 | NO. 1099: | | 132 | | |
| 19 | NO. 1158: | | 9 | | |
| 20 | NO. 1170: | | 68 | | |
| 21 | NO. 1172: | | 82 | | |
| 22 | NO. 1181: | | 104 | | |
| | | | | | |



DOCKET A L A R M

Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.

