

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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SANDOZ INC.,  
APOTEX INC., APOTEX CORP.,  
EMCURE PHARMACEUTICALS LTD.,  
HERITAGE PHARMA LABS INC.,  
HERITAGE PHARMACEUTICALS INC.,  
GLENMARK PHARMACEUTICALS, INC., USA,  
GLENMARK HOLDING SA,  
GLENMARK PHARMACEUTICALS, LTD., MYLAN  
LABORATORIES LIMITED, TEVA PHARMACEUTICALS USA, INC.,  
FRESENIUS KABI USA, LLC, and WOCKHARDT BIO AG,

Petitioners

v.

ELI LILLY AND COMPANY,

Patent Owner.

Case IPR2016-00318<sup>1</sup>  
U.S. Patent 7,772,209

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**PETITIONER SANDOZ INC.'S OBJECTIONS TO  
PATENT OWNER'S EVIDENCE**

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<sup>1</sup> Cases IPR2016-01429, IPR2016-01393, and IPR2016-01340 have been joined with the instant proceeding.

Petitioner Sandoz Inc. (“Sandoz”) hereby objects pursuant to 37 C.F.R. § 42.64(b)(1) and the Federal Rules of Evidence to the admissibility of the purported evidence listed below, which was served by Eli Lilly and Company (“Lilly”) in connection with its Patent Owner’s Sur-Reply and Motions for Observations on February 14, 2017, in IPR2016-00318. Sandoz further objects to Lilly’s reliance on and citations to the evidence subject to the following objections.

**I. Exhibit 2132 (Ross Transcript)**

Sandoz objects to Exhibit 2132 under Fed. R. Evid. 106, 401, 402, and 403 as an incomplete and inaccurate copy of the deposition transcript of Dr. David Ross as it omits Dr. Ross’s errata sheet, which was properly served on February 13, 2017.

**II. Exhibit 2136 (Schiff Transcript)**

Sandoz objects to Exhibit 2136 under Fed. R. Evid. 106, 401, 402, and 403 as an incomplete and inaccurate copy of the deposition transcript of Dr. Ronald Schiff as it omits Dr. Schiff’s errata sheet, which was properly served on February 20, 2017.

**III. Exhibit 2137 (Stover Transcript)**

Sandoz objects to Exhibit 2137 under Fed. R. Evid. 106, 401, 402, and 403 as an incomplete and inaccurate copy of the deposition transcript of Dr. Patrick Stover as it omits Dr. Stover’s errata sheet, which was properly served on February

20, 2017, and because Patent Owner has not filed all exhibits introduced at the deposition.

Dated: February 22, 2017

Respectfully submitted,

/s/ Ralph J. Gabric

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## CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing document were served on February 22, 2017, via email to the following individuals at the email addresses below.

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*/s/ Ralph J. Gabric*

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