

Case IPR2016-01096
Patent No. 6,667,061
Motion to Exclude Evidence
Attorney Docket No. 9LUYE 7.1R-004

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LUYE PHARMA GROUP LTD., LUYE PHARMA(USA) LTD., SHANDONG
LUYE PHARMACEUTICAL CO., LTD., and NANJING LUYE
PHARMACEUTICAL CO., LTD.,
Petitioners,

v.

ALKERMES PHARMA IRELAND LTD and
ALKERMES CONTROLLED THERAPEUTICS, INC.,
Patent Owners.

Patent No. 6,667,061 to Ramstack *et al.*
Issue Date: December 23, 2003
Title: PREPARATION OF INJECTABLE
SUSPENSIONS HAVING IMPROVED INJECTABILITY

Inter Partes Review No. IPR2016-01096

PETITIONERS' SECOND MOTION TO EXCLUDE EVIDENCE

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PETITIONERS' EXHIBIT LIST

Exhibit #	Reference
1001	U.S. Patent No. 6,667,061 (“the Patent”)
1002	Declaration of Dr. Patrick P. DeLuca
1003	<i>Curriculum Vitae</i> of Dr. Patrick P. DeLuca
1004	Intentionally Left Blank
1005	International Publication No. WO 95/13799 (“Ramstack”)
1006	U.S. Pharmacopeia Entry re: CMC, viscosity at 274-75, 1840 (1994)
1007	EP Pharmacopoeia Entry re: CMC, at 547-48(3d ed. 1997)
1008	Handbook of Pharmaceutical Excipients at 78-81, 135-38, 294-95, 329-330, 375-78, 420-21, 439-42, 477-80, 481-82 (2nd ed. 1994)
1009	U.S. Patent No. 5,654,010 (“Johnson”)
1010	U.S. Patent No. 5,656,299 (“Kino”)
1011	International Publication No. WO199714408 (“Gustafsson”)
1012	Intentionally Left Blank
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1014	Herbert A. Lieberman <i>et al.</i> (eds.), <i>Pharmaceutical Dosage Forms: Disperse Systems</i> , Vol.2, at 26-35, 40, 43-46, 261, 285-318 (2nd ed. rev. expanded 1996)
1015	U.S. Patent No. 6,495,164 (“the ’164 Patent”)
1016	Serial No. 10/259,949, Office Action, Apr. 9, 2003
1017	Serial No. 10/259,949, Applicants’ Resp., May 14, 2003
1018	Serial No. 09/577,875, Declaration of Mark A. Tracy, May 17, 2002
1019	Serial No. 10/259,949, Notice of Allowability, July 24, 2003
1020	Kenneth E. Avis <i>et al.</i> (eds.), 1 (Chs.2, 4, 5) <i>Pharmaceutical Dosage Forms: Parenteral Medications</i> 17-25, 115-16, 140-43, 150-51, 173-75, 190-212 (2nd ed. rev. expanded Marcel Dekker, Inc. 1992)
1021	Leon Lachman, PhD <i>et al.</i> , <i>The Theory and Practice of Industrial Pharmacy</i> 642-44, 783-84 (Lea & Febiger 3rd ed. 1986)
1022	Herbert A. Lieberman <i>et al.</i> , <i>Pharmaceutical Dosage Forms: Disperse Systems</i> , Vol.1, at 287-313 (2nd ed. rev. expanded 1996)
1023	Orange Book entries for RISPERDAL [®]
1024	Supplemental Declaration of Dr. Patrick P. DeLuca, June 9, 2017
1025	Intentionally left blank
1026	Stedman’s Medical Dictionary (26th ed. 1995)

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1027	Decapetyl components sheet
1028	International Publication No. WO 97/44039 (“Francois”)
1029	Intentionally left blank
1030	Nutropin Label (December 1999)
1031	Deposition Transcript of Cory J. Berkland, Ph.D., May 26, 2017
1032	M.A. Macket <i>et al.</i> , <i>Tolerability of intramuscular injections of testosterone ester in oil vehicle</i> , PubMed-NCBI, 10(4) Hum. Reprod. 862-5 (April 1995)
1033	Intentionally left blank
1034	USP 23 NF 18, Suspensions, The U.S. Pharmacopeia, The Nat’l Formulary, Jan. 1, 1995.
1035	Intentionally left blank
1036	Hawley’s Condensed Chemical Dictionary (12th ed. 1993)
1037	(Ch.19) Organic Chemistry (2nd ed. 1998)
1038	U.S. Patent No. 5,417,982
1039	Biochemicals and Reagents for Life Science Research, Sigma-Aldrich 1998
1040	Biochemicals and Reagents for Life Science Research, Sigma-Aldrich 1999
1041	Biochemicals and Reagents for Life Science Research, Sigma-Aldrich 2000/2001
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