

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

Petitioners

v.

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

Patent Owners

IPR2016-01096
U.S. Patent 6,667,061

Petitioners' Oral Argument

August 28, 2017

Institution of Trial for the '061 Patent

Ground 1

e. Conclusion

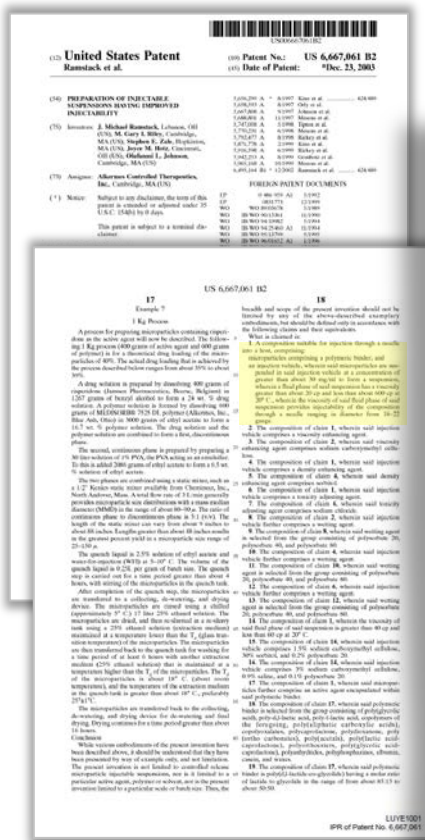
Petitioner has demonstrated a reasonable likelihood that claim 22, and 23 are rendered obvious by the combination of Johnson and

Ground 2

f. Conclusion

Petitioner has demonstrated a reasonable likelihood that claim 6–9, 12, 13, and 17–23 are rendered obvious by the combination of Gustafsson, Ramstack, and the Handbook.

'061 Patent Claim 1



The '061 Patent, Ex.1001, Claim 1

1. A composition suitable for injection through a needle into a host, comprising:
 microparticles comprising a polymeric binder; and
 an injection vehicle, wherein said microparticles are suspended in said injection vehicle at a concentration greater than about 30 mg/ml to form a suspension wherein a fluid phase of said suspension has a viscosity greater than about 20 cp and less than about 600 cp at 20° C., wherein the viscosity of said fluid phase of said suspension provides injectability of the composition through a needle ranging in diameter from 18–22 gauge.

'061 Patent Claims 2-3



The '061 Patent, Ex.1001, Claims 2-3

- 2. The composition of claim 1, wherein said injectable vehicle comprises a viscosity enhancing agent.
- 3. The composition of claim 2, wherein said viscosity enhancing agent comprises sodium carboxymethyl cellulose.

'061 Patent Claims 4-5, 10-11

The '061 Patent, Ex.1001, Claims 4-5

4. The composition of claim 1, wherein said injectable vehicle comprises a density enhancing agent.
5. The composition of claim 4, wherein said density enhancing agent comprises sorbitol.

The '061 Patent, Ex.1001, Claims 10-11

10. The composition of claim 4, wherein said injectable vehicle further comprises a wetting agent.
11. The composition of claim 10, wherein said wetting agent is selected from the group consisting of polysorbate 20, polysorbate 40, and polysorbate 80.

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