

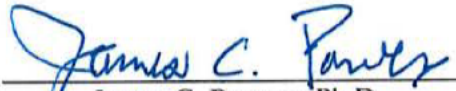
v.
AUROBINDO PHARMA LTD. and
AUROBINDO PHARMA U.S.A., INC,

Defendants.

) C.A. No. 14-cv-664-GMS
)
) (CONSOLIDATED)
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OPENING EXPERT REPORT OF JAMES C. POWERS, Ph.D.

Dated: 1/28/2016


James C. Powers, Ph.D.

1. I have been retained by Defendants (i) Aurobindo Pharma Ltd. and Aurobindo Pharma U.S.A., Inc. (“Aurobindo”); (ii) Wockhardt Ltd. and Wockhardt USA LLC (“Wockhardt”); (iii) Actavis Laboratories FL, Inc. and Watson Laboratories, Inc. (“Actavis”); (iv) Mylan Pharmaceuticals Inc. (“Mylan”); (v) Sun Pharma Global FZE and Sun Pharmaceutical Industries Ltd. (“Sun”); and (vi) Amneal Pharmaceuticals LLC (“Amneal”) (collectively “Defendants”) to provide my opinions regarding invalidity of U.S. Patent No. RE 44,186 (“the RE ’186 patent”).

2. This report contains my opinions concerning obviousness under 35 U.S.C. § 103; as well as technical background information; the bases for my opinions; data or other information considered by me in forming those opinions; my qualifications; and compensation for my services. My opinions and the facts set forth in this report are based upon information I reviewed and upon my fifty-plus years of education, knowledge and experience in chemistry, biochemistry, medicinal chemistry, pharmaceutical chemistry and related fields.

3. If called upon to testify at trial, I expect to testify about:

- my background, qualifications, and experience;
- technical background related to the RE ’186 patent;
- the knowledge and level of skill of a person of ordinary skill in the art of pharmaceutical chemistry as of the earliest alleged effective filing date of the RE ’186 patent;
- the patent-in-suit and its claims, specifications, and prosecution history;
- the teachings of various pieces of prior art;
- my opinions concerning the invalidity of claims 8, 9, 25 and 26 of the RE ’186 patent under 35 U.S.C. § 103 as obvious; and
- other issues related to the patent-in-suit.

4. I may also testify in rebuttal to expert(s) testifying on behalf of Plaintiff. I reserve the right to amend or supplement my opinions in light of evidence presented by Plaintiff or