

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APOTEX INC., APOTEX CORP., APOTEX PHARMACEUTICALS
HOLDINGS, INC., AND APOTEX HOLDINGS, INC.,
Petitioners

v.

OSI PHARMACEUTICALS, INC.,
Patent Owner

CBM2016-01284
U.S. Patent No. 6,900,221

DEPOSITION OF GIUSEPPE GIACCONE, M.D., Ph.D.

Washington, D.C.

Monday, August 14, 2017

11:59 a.m.

Reported by: Donna A. Peterson

Henderson Legal Services, Inc.

1 Expert Deposition of GIUSEPPE
2 GIACCONE, M.D., Ph.D., taken at the law offices of:
3
4 WILMER CUTLER PICKERING
5 HALE and DORR, LLP
6 Room 2001E, Second Floor
7 1875 Pennsylvania Avenue, N.W.
8 Washington, D.C. 20006

9
10
11
12
13
14
15
16
17
18
19
20
21
22

Pursuant to Notice, before Donna Ann
Peterson, Notary Public in and for the District of
Columbia.

1 A P P E A R A N C E S

2

3 ON BEHALF OF THE APOTEX PETITIONERS:

4 W. BLAKE COBLENTZ, ATTORNEY at LAW

5 ERIC CHOI, ATTORNEY at LAW

6 COZEN O'CONNOR

7 1200 NINETEENTH Street, N.W.

8 Washington, D.C. 20036

9 Telephone: (202) 912-4800

10 wcoblentz@cozen.com

11

12

13 ON BEHALF OF THE RESPONDENTS:

14 AMY K. WIGMORE, ATTORNEY at LAW

15 KEVIN M. YURKERWICH, ATTORNEY at LAW

16 WILMER CUTLER PICKERING

17 HALE and DORR, LLP

18 Second Floor

19 1875 Pennsylvania Avenue, N.W.

20 Washington, D.C. 20006

21 Telephone: (202) 663-6000

22 amy.wigmore@wilmerhale.com

1 A P P E A R A N C E S C O N T I N U E D

2

3 ALSO PRESENT: Andrea Tiglio, Ph.D.

4 Astellas US, LLC, on behalf of

5 Respondents

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

C O N T E N T S

EXAMINATION OF GIUSEPPE GIACCONE, M.D., Ph.D.

PAGE

By Ms. Wigmore

7

E X H I B I T S

(Exhibits attached to the transcript.)

EXHIBITS DESCRIPTION

PAGE

Exhibit 2034 Patent Owner's Notice of

11

Deposition of Giuseppe

Giaccone, M.D., Ph.D., under

37 C.F.R., Section 42.53

Exhibit 2044 Declaration of Giuseppe

16

Giaccone, M.D., Ph.D.

Exhibit 2045 Article from European Journal of

64

Cancer

Exhibit 2046 Article from Journal of Clinical

74

Oncology

Exhibit 2047 Article from British Journal of

78

Hospital Medicine

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.