

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MARK J. RATAIN, M.D.

April 17, 2017
9:29 a.m.

Deposition of MARK J. RATAIN, M.D., at
Latham & Watkins LLP, 330 North Wabash Avenue,
Suite 2800, Chicago, Illinois, pursuant to
notice, before JANET L. ROBBINS, Illinois
Certified Shorthand Reporter, Registered
Professional Reporter.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MARK J. RATAIN, M.D.

A P P E A R A N C E S :

LATHAM & WATKINS

BY: BRENDA DANЕК, ESQ.

330 North Wabash Avenue

Chicago, IL 60611

appeared on behalf of Petitioner;

FITZPATRICK CELLA HARPER & SCINTO

BY: CHARLOTTE JACOBSEN, ESQ.

LAURA FISHWICK, ESQ.

1290 Avenue of the Americas

New York, NY 10104

appeared on behalf of the Patent Owner.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MARK J. RATAIN, M.D.

I N D E X

WITNESS:

MARK J. RATAIN, M.D.

	PAGE
EXAM BY MS. JACOBSEN	5

E X H I B I T S

EXHIBIT	DESCRIPTION	PG	LN
Exhibit 2038	Transplantation of Azaserine-Induced Carcinomas of Pancreas in Rats	318	4
Exhibit 2039	Adenocarcinoma of the Pancreas in Azaserine-treated Rats	319	8

1 MARK J. RATAIN, M.D.

2 (Witness sworn.) 09:29

3 MARK J. RATAIN, M.D.,

4 called as a witness herein, having been first
5 duly sworn, was examined and testified as
6 follows:

7 EXAMINATION

8 BY MS. JACOBSEN:

9 Q. Good morning, Dr. Ratain. 09:29

10 A. Good morning, Ms. Jacobsen. 09:29

11 Q. Now, I know you've been deposed 09:29

12 before, but I'll just remind you of the ground 09:29

13 rules which will help us to have a clean record 09:29

14 for today. 09:29

15 The first is that we should try not 09:29

16 to speak over each other so that the 09:29

17 stenographer can get all of our questions and 09:29

18 answers down. Is that okay? 09:30

19 A. Yes. 09:30

20 Q. And I ask that you answer to the 09:30

21 best of your ability, unless you're instructed 09:30

22 by your counsel not to answer a question. 09:30

23 Do you understand that? 09:30

24 A. Yes. 09:30

25 Q. Is there any reason why you can't 09:30

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.