

1 MARK J. RATAIN, M.D.  
2 UNITED STATES PATENT AND TRADEMARK OFFICE  
3 BEFORE THE PATENT TRIAL AND APPEAL BOARD

4 PAR PHARMACEUTICAL, INC., )  
5 BRECKENRIDGE )  
6 PHARMACEUTICAL, INC., and )  
7 ROXANE LABORATORIES, INC., )  
8 )  
9 Petitioners, )  
10 )  
11 vs. ) Case IPR2016-00084  
12 ) U.S. Patent No.  
13 NOVARTIS AG, ) 5,665,772  
14 )  
15 Patent Owner. )

16 DEPOSITION OF MARK J. RATAIN, M.D.  
17 Chicago, Illinois  
18 Friday, December 16, 2016  
19  
20  
21  
22  
23

24 Reported by:  
25 JANET L. ROBBINS, CSR, RPR  
JOB NO. 116752

1 MARK J. RATAIN, M.D.  
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6

7 December 16, 2016

8 9:31 a.m.  
9  
10

11 Deposition of MARK J. RATAIN, M.D., at  
12 330 North Wabash Avenue, Suite 2800, Chicago,  
13 Illinois, pursuant to notice, before JANET L.  
14 ROBBINS, Illinois Certified Shorthand Reporter,  
15 Registered Professional Reporter.  
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1 MARK J. RATAIN, M.D.

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

3 LATHAM & WATKINS

BY: JONATHAN STRANG, ESQ.

4 555 Eleventh Street, NW

Washington, DC 20004

5 appeared on behalf of Par

Pharmaceutical, Inc.;

6  
7 FITZPATRICK, CELLA, HARPER & SCINTO

BY: CHARLOTTE JACOBSEN, ESQ.

8 SUSANNE FLANDERS, ESQ.

1290 Avenue of the Americas

9 New York, New York 10104

appeared on behalf of Novartis AG

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1 MARK J. RATAIN, M.D.

2 I N D E X

3 WITNESS:

4 MARK J. RATAIN, M.D.

	PAGE
5 EXAM BY MS. JACOBSEN	5
EXAM BY MR. STRANG	217

6  
7 E X H I B I T S

8 IPR	DESCRIPTION	PG	LN
9 Exhibit 2220	Dose-Escalating Study of Capecitabine Plus Gemcitabine 10 Combination Therapy in Patients with 11 Advanced Cancer by R. Schilsky, et al.	37	3
12 Exhibit 2221	Phase II Oncology Trials: Let's Be 13 Positive by Mark J. Ratain	95	11

1 MARK J. RATAIN, M.D.

2 (Witness sworn.)

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. 09:31

10 A. Good morning. 09:31

11 Q. Now, I know you've been deposed 09:31  
12 before, and so there's not a great deal of need 09:31  
13 to go over the ground rules. 09:31

14 But just so that we have a clean 09:31  
15 record as before, I ask that you wait until I 09:31  
16 finish my question before you answer, and I 09:31  
17 will try to do the same with respect to your 09:31  
18 answers. 09:31

19 Is that okay? 09:31

20 A. Yes. 09:31

21 Q. And if you don't understand any of 09:31  
22 my questions, please ask me to rephrase them or 09:31  
23 to clarify the terms that you don't understand. 09:31

24 Can you do that? 09:32

25 A. I assume you mean if I don't 09:32

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