

1 UNITED STATES PATENT AND TRADEMARK OFFICE

2
3 BEFORE THE PATENT TRIAL AND APPEAL BOARD

4
5 PAR PHARMACEUTICAL, INC.,

6 Petitioner

7 V.

8 NOVARTIS AG

9 Patent Owner

10
11 Case IPR2016-01479

12 U.S. Patent No. 9,006,224

13
14 DEPOSITION of MATTHEW H. KULKE, M.D.

15 Boston, Massachusetts

16 July 12, 2017

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24 Reported by: Dana Welch, CSR, RPR, CRR, CRC

25 Job No: 125680

Par Pharm., Inc.
Exhibit 1070
Par Pharm., Inc. v. Novartis AG
Case IPR2016-01479

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July 12, 2017
10:54 a.m.

Deposition of MATTHEW H. KULKE, M.D., held
at the offices of McCarter & English, LLP, 265
Franklin St., Boston, Massachusetts 2110, before
Dana Welch, Certified Shorthand Reporter,
Registered Professional Reporter, Certified
Realtime Reporter, and Notary Public of the
Commonwealth of Massachusetts.

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21 Appearing by telephone conference:

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23 Argentum Pharmaceuticals

24

25

1	KULKE	
2	P R O C E E D I N G S	10:53
3	MATTHEW KULKE, M.D., sworn	10:54
4	EXAMINATION	10:54
5	BY MS. DANEK:	10:54
6	Q. Good morning, Dr. Kulke.	10:55
7	A. Good morning.	10:55
8	Q. My name is Brenda Danek and I'm	10:55
9	representing the petitioner in this case, Par	10:55
10	Pharmaceutical.	10:55
11	I believe that you've testified before in	10:55
12	legal proceedings as an expert witness; is that	10:55
13	right?	10:55
14	A. Yes, I have.	10:55
15	Q. And, in fact, in matters, proceedings	10:55
16	related to the '224 patent?	10:55
17	A. Yes, I have.	10:55
18	Q. So I assume that you're generally familiar	10:55
19	with the procedure of a deposition, but I just want	10:55
20	to go over a couple of ground rules. So you	10:55
21	understand that you're under oath today?	10:55
22	A. I do.	10:55
23	Q. And that your testimony here is as though	10:55
24	you were testifying live before a judicial	10:55
25	tribunal?	10:55

1 KULKE

2 A. Yes. 10:55

3 Q. So I'll be asking a series of questions, 10:55
4 and your counsel will be -- may make some 10:55
5 objections. And do you understand that you are to 10:55
6 answer my question unless specifically instructed 10:55
7 by your counsel not to answer the question? 10:55

8 A. I do. 10:55

9 Q. And you understand that the court reporter 10:55
10 will be recording everything that is said today? 10:55

11 A. I do. 10:55

12 Q. And so it's really important that only one 10:55
13 person is speaking at a time. So I will endeavor 10:55
14 to wait until you complete your answer before 10:56
15 asking new questions. If you will also try to wait 10:56
16 until I complete my questions before starting your 10:56
17 answer. 10:56

18 Is that okay? 10:56

19 A. That's perfectly fine. 10:56

20 Q. Is there -- if there's any part of one of 10:56
21 my questions that you don't understand, I would ask 10:56
22 that you ask me to clarify it. 10:56

23 Is that okay? 10:56

24 A. Yes. 10:56

25 Q. And if you don't ask me to clarify my 10:56

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