

## Transcript of Boni E. Elewski, M.D.

Date: October 20, 2017 Case: Acrux DDC PTY Ltd., et al. -v- Kaken Pharmaceuticals Co., Ltd., et al. (PTAB)

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ACRUX DDS PTY LTD. et al. EXHIBIT 1508 IPR Petition for U.S. Patent No. 7,214,506

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| 1  | UNITED STATES PATENT AND TRADEMARK       |  |  |  |  |
|----|--|--|--|--|--|
| 2  | OFFICE                                   |  |  |  |  |
| 3  | BEFORE THE PATENT TRIAL AND APPEAL BOARD |  |  |  |  |
| 4  |  |  |  |  |  |
| 5  | CASE NUMBER: IPR2017-00190               |  |  |  |  |
| 6  | U.S. PATENT NO. 7,214,506                |  |  |  |  |
| 7  |  |  |  |  |  |
| 8  |  |  |  |  |  |
| 9  | ACRUX DDS PTY LTD. & ACRUS LIMITED,      |  |  |  |  |
| 10 | Petitioners,                             |  |  |  |  |
| 11 | VS.                                      |  |  |  |  |
| 12 | KAKEN PHARMACEUTICAL CO., LTD. and       |  |  |  |  |
| 13 | VALEANT PHARMACEUTICALS INTERNATIONAL,   |  |  |  |  |
| 14 | INC.,                                    |  |  |  |  |
| 15 | Patent Owner and Licensee.               |  |  |  |  |
| 16 |  |  |  |  |  |
| 17 | DEPOSITION TESTIMONY OF                  |  |  |  |  |
| 18 | BONI E. ELEWSKI, M.D.                    |  |  |  |  |
| 19 | October 20, 2017                         |  |  |  |  |
| 20 | 9:00 A.M.                                |  |  |  |  |
| 21 | COURT REPORTER:                          |  |  |  |  |
| 22 | MELANIE L. PETIX, CCR                    |  |  |  |  |
|    |  |  |  |  |  |

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| 1  | STIPULATIONS                                |  |  |  |
|----|---|--|--|--|
| 2  |   |  |  |  |
| 3  | It is hereby stipulated and                 |  |  |  |
| 4  | agreed, by and between the parties          |  |  |  |
| 5  | through their counsel, that the             |  |  |  |
| 6  | deposition of BONI E. ELEWSKI, M.D., may be |  |  |  |
| 7  | taken before Melanie L. Petix, Certified    |  |  |  |
| 8  | Court Reporter and Notary Public for the    |  |  |  |
| 9  | State of Alabama at Large, at Hilton        |  |  |  |
| 10 | Garden Inn Liberty Park, 2090 Urban         |  |  |  |
| 11 | Center Parkway, Birmingham, Alabama on      |  |  |  |
| 12 | October 20, 2017, commencing at 9:00        |  |  |  |
| 13 | a.m.  |  |  |  |
| 14 |   |  |  |  |
| 15 | In accordance with Rule 5(d) of             |  |  |  |
| 16 | The Alabama Rules of Civil Procedure, as    |  |  |  |
| 17 | amended, effective May 15, 1988, I,         |  |  |  |
| 18 | Melanie L. Petix, Certified Court           |  |  |  |
| 19 | Reporter, am hereby delivering to E.        |  |  |  |
| 20 | Anthony Figg, the original transcript of    |  |  |  |
| 21 | the oral testimony taken on October 20,     |  |  |  |
| 22 | 2017, along with exhibits.                  |  |  |  |
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| 1  | Please be advised that this is         |  |  |  |  |  |
|----|--|--|--|--|--|--|
| 2  | the same and not retained by the Court |  |  |  |  |  |
| 3  | Reporter, nor filed with the Court.    |  |  |  |  |  |
| 4  | 000                                    |  |  |  |  |  |
| 5  |  |  |  |  |  |  |
| 6  | APPEARANCES                            |  |  |  |  |  |
| 7  |  |  |  |  |  |  |
| 8  | FOR THE PETITIONER:                    |  |  |  |  |  |
| 9  | E. ANTHONY FIGG, Esq.                  |  |  |  |  |  |
| 10 | AYDIN H. HARSTON, Ph.D., Esq.          |  |  |  |  |  |
| 11 | ROTHWELL FIGG                          |  |  |  |  |  |
| 12 | 607 14th Street, N.W., Suite 800       |  |  |  |  |  |
| 13 | Washington, DC 20005                   |  |  |  |  |  |
| 14 |  |  |  |  |  |  |
| 15 | FOR THE PATENT OWNER AND LICENSEE:     |  |  |  |  |  |
| 16 | JOHN D. LIVINGSTONE, Esq.              |  |  |  |  |  |
| 17 | ASHLEY WINKLER, Esq.                   |  |  |  |  |  |
| 18 | FINNEGAN, HENDERSON, FARABOW,          |  |  |  |  |  |
| 19 | GARRETT & DUNNER, LLP                  |  |  |  |  |  |
| 20 | 271 17th Street, NW, Suite 1400        |  |  |  |  |  |
| 21 | Atlanta, Georgia 30363-6209            |  |  |  |  |  |
| 22 |  |  |  |  |  |  |
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| 1  | ALSO                         | PRESENT (via | phone): |  |  |  |
|----|------------------------------|--------------|---------|--|--|--|
| 2  | TYLER C. LIU, Esq.           |              |         |  |  |  |
| 3  | Associate General Counsel    |              |         |  |  |  |
| 4  | Argentum Pharmaceuticals LLC |              |         |  |  |  |
| 5  |                              |              |         |  |  |  |
| 6  |                              |              |         |  |  |  |
| 7  |                              |              |         |  |  |  |
| 8  | INDEX                        |              |         |  |  |  |
| 9  |                              |              |         |  |  |  |
| 10 | EXAMI                        | NATION BY:   | PAGE    |  |  |  |
| 11 | MR.                          | FIGG         | 7       |  |  |  |
| 12 | MR.                          | LIVINGSTONE  | 205     |  |  |  |
| 13 |                              |              |         |  |  |  |
| 14 | FURTHER EXAMINATION BY:      |              |         |  |  |  |
| 15 | MR.                          | FIGG         | 220     |  |  |  |
| 16 |                              |              |         |  |  |  |
| 17 |                              |              |         |  |  |  |
| 18 |                              |              |         |  |  |  |
| 19 |                              |              |         |  |  |  |
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