UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN TECHNOLOGIES, INC. Petitioner

v.

MONOSOL RX, LLC, Patent Owner

Case: IPR2017-00200

Patent 8,603,514

PRELIMINARY RESPONSE TO PETITION FOR *INTER PARTES* REVIEW OF US PATENT NO. 8,603,514



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II.	BACKGROUND
III.	CLAIM CONSTRUCTION
	A. "flowable" film-forming matrix
	B. "viscosity sufficient to aid in substantially maintaining non-self-aggregating uniformity"
	C. "active substantially uniformly stationed in the matrix"
	D. "taste-masking of the active"1
	E. "capable of being dried without loss of substantial uniformity"
IV.	PETITIONER HAS NOT DEMONSTRATED "A REASONABLE LIKELIHOOD OF PREVAILING" AGAINST AT LEAST ONE CLAIM OF THE '514 PATENT UNDER 35 U.S.C. § 314(A)
	A. Petitioner fails to establish a reasonable likelihood that any challenged claim is unpatentable in light of the prior art.
	1. DCU was a significant problem that was solved by the '514 inventors
	Ilango fails to disclose or teach each element of the challenged independent claims.
	a. Ilango does not teach or disclose how to use matrix viscosity combined with drying to form a uniform cast film
	b. Ilango does not teach or disclose a particulate active with a particle size of 20 microns or less
	c. Ilango does not teach or disclose how to make a film having the claimed uniformity.
	d. Ilango's other disclosures are also insufficient



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	3. Petitioner's additional reference has already been considered by the Board and	
	found insufficient.	30
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