

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

MYLAN PHARMACEUTICALS INC.  
Petitioner

v.

QUALICAPS CO. LTD.  
Patent Owner

Case IPR2017-00203  
Patent No. 6,649,180

---

**PETITIONER MYLAN PHARMACEUTICALS INC.'S OBJECTIONS  
PURSUANT TO 37 C.F.R. § 42.64 TO PATENT OWNER'S  
SUPPLEMENTAL EVIDENCE SERVED ON AUGUST 11, 2017**

Pursuant to 37 C.F.R. § 42.64(b), Petitioner Mylan Pharmaceuticals Inc. (“Mylan”) submits the following objections to supplemental evidence served by Patent Owner Qualicaps Co. Ltd. (“Patent Owner”) on August 11, 2017. These objections are timely filed within five (5) business days from service of the evidence.

Petitioner reserves the right to present further objection to these or additional Exhibits submitted by Patent Owner, as allowed by the applicable rules or authority.

The following table identifies Petitioner's objections to the respective exhibits. The alleged evidence presented in the respective exhibits are inadmissible for at least the reasons presented in the right-hand column of the table below.

<b>Evidence</b>	<b>Objections</b>
<b>Exhibit 2052</b>	<p><b>FRE 401 and 402:</b> The exhibit is not relevant to any ground upon which trial was instituted.</p> <p><b>FRE 403:</b> The exhibit's probative value to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence.</p> <p><b>FRE 802:</b> The exhibit is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein.</p> <p><b>Lack of Foundation:</b> Patent Owner has not provided sufficient explanation of what the exhibit is or what it allegedly shows.</p> <p><b>FRE 703:</b> Patent Owner's Response, Dr. McConville's declaration, and Dr. Bennett's declaration do not establish that</p>

Evidence	Objections
	<p>this exhibit includes the type of facts or data that would normally be reasonably relied on by experts in the particular field. Thus, this exhibit and any paragraph in the expert declaration citing to this exhibit are inadmissible under FRE 703. Further, Patent Owner has also failed to establish that this exhibit's probative value substantially outweighs any prejudicial effect.</p>
<p><b>Exhibit 2053</b></p>	<p><b>FRE 401 and 402:</b> The exhibit is not relevant to any ground upon which trial was instituted.</p> <p><b>FRE 403:</b> The exhibit's probative value to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence.</p> <p><b>FRE 802:</b> The exhibit is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein.</p> <p><b>Lack of Foundation:</b> Patent Owner has not provided sufficient explanation of what the exhibit is or what it allegedly shows.</p> <p><b>FRE 703:</b> Patent Owner's Response, Dr. McConville's declaration, and Dr. Bennett's declaration do not establish that this exhibit includes the type of facts or data that would normally</p>

Evidence	Objections
	<p>be reasonably relied on by experts in the particular field. Thus, this exhibit and any paragraph in the expert declaration citing to this exhibit are inadmissible under FRE 703. Further, Patent Owner has also failed to establish that this exhibit's probative value substantially outweighs any prejudicial effect.</p>
<b>Exhibit 2054</b>	<p><b>FRE 401 and 402:</b> The exhibit is not relevant to any ground upon which trial was instituted.</p> <p><b>FRE 403:</b> The exhibit's probative value to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence.</p> <p><b>FRE 802:</b> The exhibit is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein.</p> <p><b>Lack of Foundation:</b> Patent Owner has not provided sufficient explanation of what the exhibit is or what it allegedly shows.</p> <p><b>FRE 703:</b> Patent Owner's Response, Dr. McConville's declaration, and Dr. Bennett's declaration do not establish that this exhibit includes the type of facts or data that would normally be reasonably relied on by experts in the particular field. Thus,</p>

Evidence	Objections
	<p>this exhibit and any paragraph in the expert declaration citing to this exhibit are inadmissible under FRE 703. Further, Patent Owner has also failed to establish that this exhibit's probative value substantially outweighs any prejudicial effect.</p>
<b>Exhibit 2055</b>	<p><b>FRE 401 and 402:</b> The exhibit is not relevant to any ground upon which trial was instituted.</p> <p><b>FRE 403:</b> The exhibit's probative value to any ground upon which trial was instituted is substantially outweighed by the danger of unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence.</p> <p><b>FRE 802:</b> The exhibit is inadmissible hearsay if offered to prove the truth of any matter allegedly asserted therein.</p> <p><b>Lack of Foundation:</b> Patent Owner has not provided sufficient explanation of what the exhibit is or what it allegedly shows.</p> <p><b>FRE 703:</b> Patent Owner's Response, Dr. McConville's declaration, and Dr. Bennett's declaration do not declarations establish that this exhibit includes the type of facts or data that would normally be reasonably relied on by experts in the particular field. Thus, this exhibit and any paragraph in the</p>

# 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.