

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 6,649,180

**PATENT OWNER'S SUPPLEMENTAL OBJECTION TO REPLY
EVIDENCE UNDER 37 C.F.R. § 42.64(b)(1)**

Pursuant to 37 C.F.R. § 42.64(b)(1) and the Federal Rules of Evidence (“FRE”), as applied by the Patent Trial and Appeal Board (“Board”), Patent Owner, Qualicaps Co., Ltd., submits the following additional objection to evidence filed or as used by Petitioner with its Reply (Paper 38). This additional objection is timely filed within five (5) business days of the date the Reply was filed.

Patent Owner reserves the right to present further objections to these or additional Exhibits submitted by Petitioner, as allowed by the applicable rules or other authority, including without limitation upon conclusion of cross-examination of Dr. Arthur Kibbe.

Exhibits 2064 and 2067–2072

Exhibits 2064 and 2067–2072 additionally are inadmissible under 37 C.F.R. § 42.61(a) for not having been taken, sought, or filed in accordance with subpart A of 37 C.F.R. Part 42. Specifically, Petitioner did not obtain or provide to Patent Owner protective order acknowledgments from all persons defined in sections 2, 3, and 4 of the stipulated protective order (Ex. 2073) prior to those persons having access to these exhibits.

Date: September 22, 2017

Respectfully submitted,

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, I certify that on the date listed below, a copy of Patent Owner's Objections To Reply Evidence Under 37 C.F.R. § 42.64(b)(1) was served by electronic mail, by agreement of the parties, to Mylan-WC-IPR@kilpatricktownsend.com on the following counsel of record for Petitioner:

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