

UNITED STATES PATENT AND TRADEMARK
OFFICE

BEFORE THE PATENT TRIAL AND APPEAL
BOARD

ARGENTUM PHARMACEUTICALS LLC

Petitioner

v.

CIPLA LTD.

Patent Owner

Patent No. 8,168,620

Issue Date: May 1, 2012

Title: COMBINATION OF AZELASTINE AND STEROIDS

Inter Partes Review No.: IPR2017-00807

**SUPPLEMENTAL DECLARATION OF
ROBERT P. SCHLEIMER, Ph.D.**

Exhibit 1170

1. I submit this declaration as a supplement to my March 6, 2018 Second Declaration of Robert P. Schleimer, Ph.D. (Ex. 1144), in Support of Petitioner's Reply to Patent Owner's Response, and in response to certain objections subsequently made by Cipla.

2. Regarding Exhibit 1055 from the present proceeding, I saw this exhibit during the Cipla-Apotex trial, presented as a part of Defendant's Exhibit DTX-002. During that trial, I was an expert witness for Apotex. I heard Dr. Accetta testify that the document (submitted here as Ex. 1055) reproduces one of his patient records showing that he had co-prescribed Flonase and Astelin to the patient. The testimony from Dr. Accetta about this document that I heard appears in Patent Owner's exhibit CIP2018 at 47:22-50:14, which is the trial transcript from the Cipla-Apotex trial.

3. In signing this declaration, I recognize that the declaration will be served and/or filed as evidence in the present contested case before the Patent Trial and Appeal Board of the United States Patent and Trademark Office. I also recognize that I may be subject to cross-examination in the case and that cross-examination will take place within the United States. If cross-examination is required of me, I will appear for cross-examination within the United States during the time allotted for cross-examination.

4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.



Dated: March 27, 2018

Robert P. Schleimer, Ph.D.