UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ARGENTUM PHARMACEUTICALS LLC

Petitioner

v.

CIPLA LIMITED

Patent Owner

Case No. IPR2017-00807

U.S. Patent No. 8,168,620

PATENT OWNER'S OBJECTIONS TO PETITIONER'S DEMONSTRATIVE EXHIBITS

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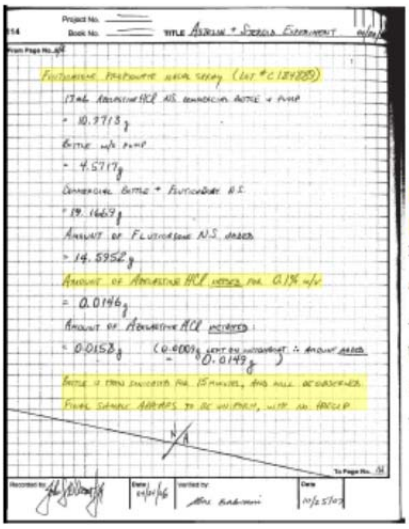
Pursuant to the Board's Order of April 10, 2018 (Paper 40), the parties served objections on each other seven business days prior to Oral Argument, and subsequently met and conferred in a good-faith attempt to resolve their differences. The parties came to an agreement regarding some objections, but a few remain unresolved and are addressed here. The objections below "identify with particularity which portions of the demonstrative exhibits are subject to objection, include a copy of the objected-to portions, and include a one-sentence statement of the reason for each objection," as required by the Board. (Paper 40, 3).

Objections to slide 19 (objected-to in its entirety)

Flonase® + Astelin® Combination Worked



Meda Lab Notebook (CIP2061), 17; EX1145, ¶75; Reply, 26.

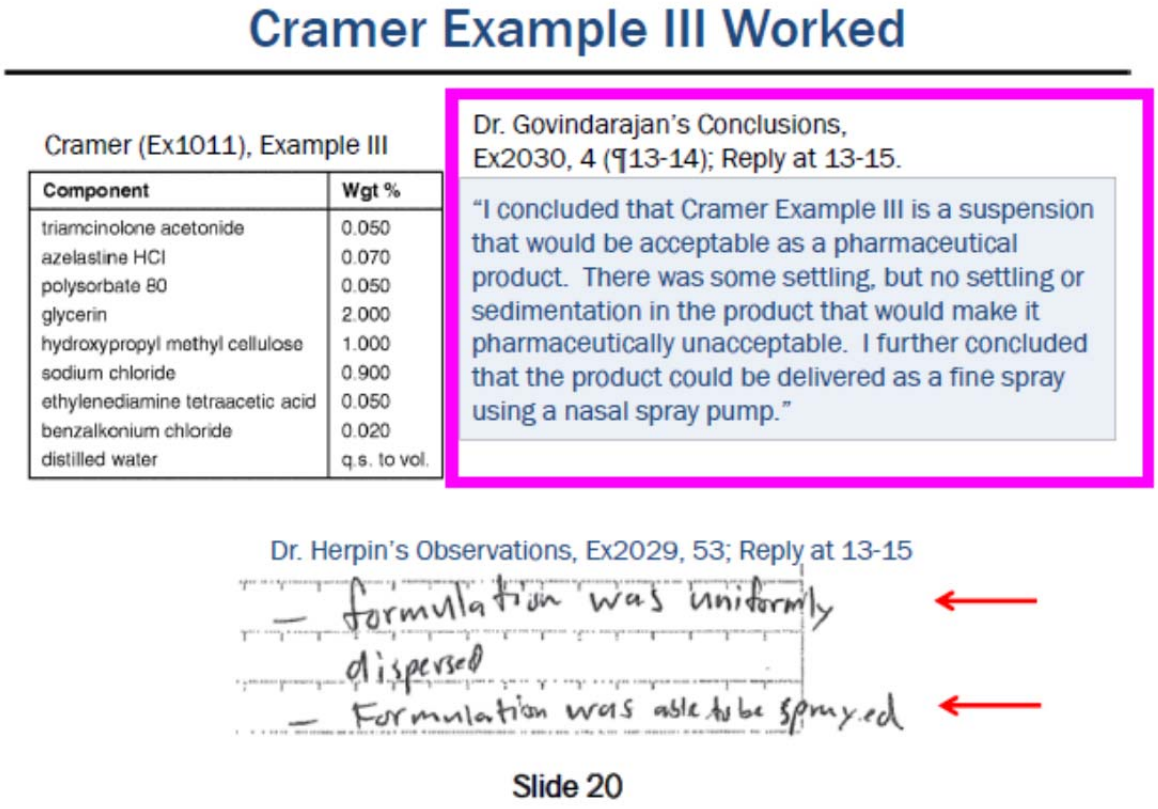
22. Beginning on April 24, 2006, Mr. John D'Aconti, an Assistant Formulation Scientist, began experiments under the direction of Mr. Balwani to create a combination nasal spray. At this time, Mr. D'Aconti had a bachelor's degree in pharmaceutical sciences and 3-4 years of formulation experience. He first conducted a screening experiment by combining Flonase®, a commercial fluticasone propionate nasal spray, with Astelin®, a commercial azelastine hydrochloride nasal spray. This experiment was designed to understand whether any gross formulation changes occurred with the combination of Flonase® and Astelin®. CIP2061, 17. The sample was sonicated for 15 minutes and then assessed by visual observation only. CIP2061, 17. No precipitation was observed. CIP2061, 17. As this was only a screening experiment, no further assessment of this sample was done. CIP2061, 17.

Dr. D'Addio (of Meda) (CIP2148), ¶22; EX1145, ¶75; Reply, 26.

Slide 19

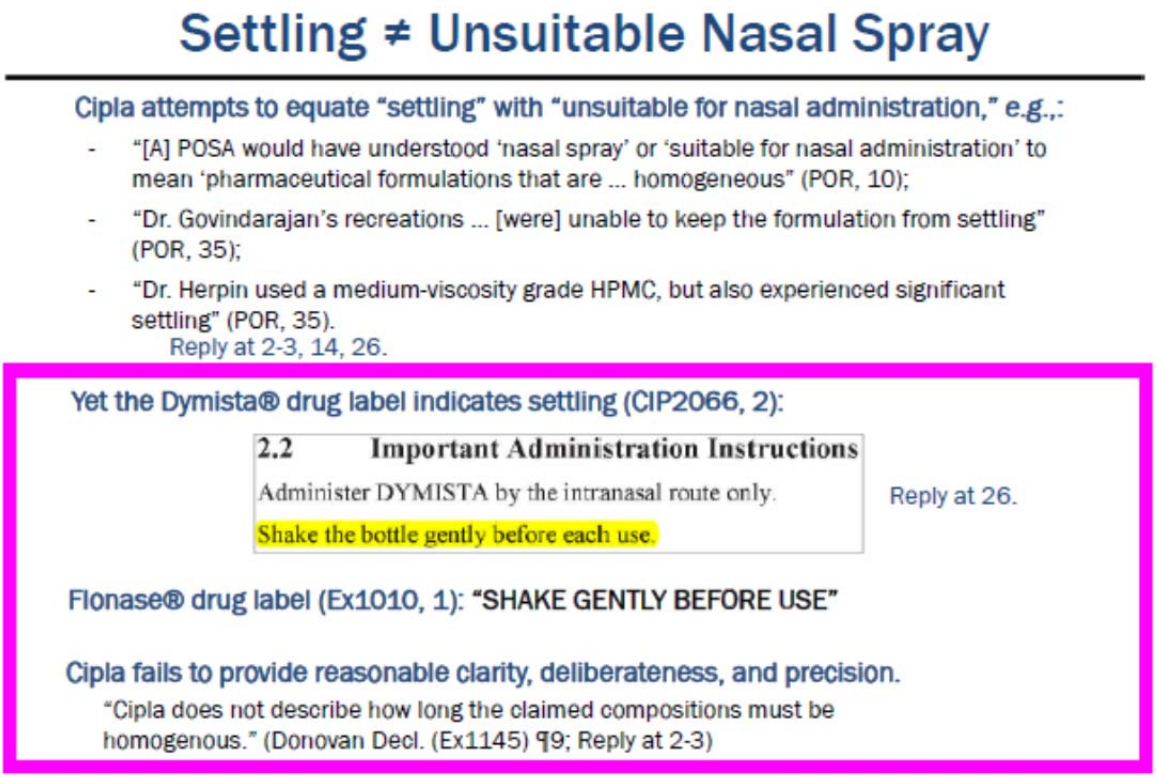
Patent Owner objects to Petitioner's slide 19 because it presents new argument that was not raised in the Reply (Paper 30).

Objections to slide 20 (objected-to portion boxed in purple)



Patent Owner objects to Petitioner's slide 20 as misleading because it suggests that Dr. Govindarajan was a declarant in this proceeding.

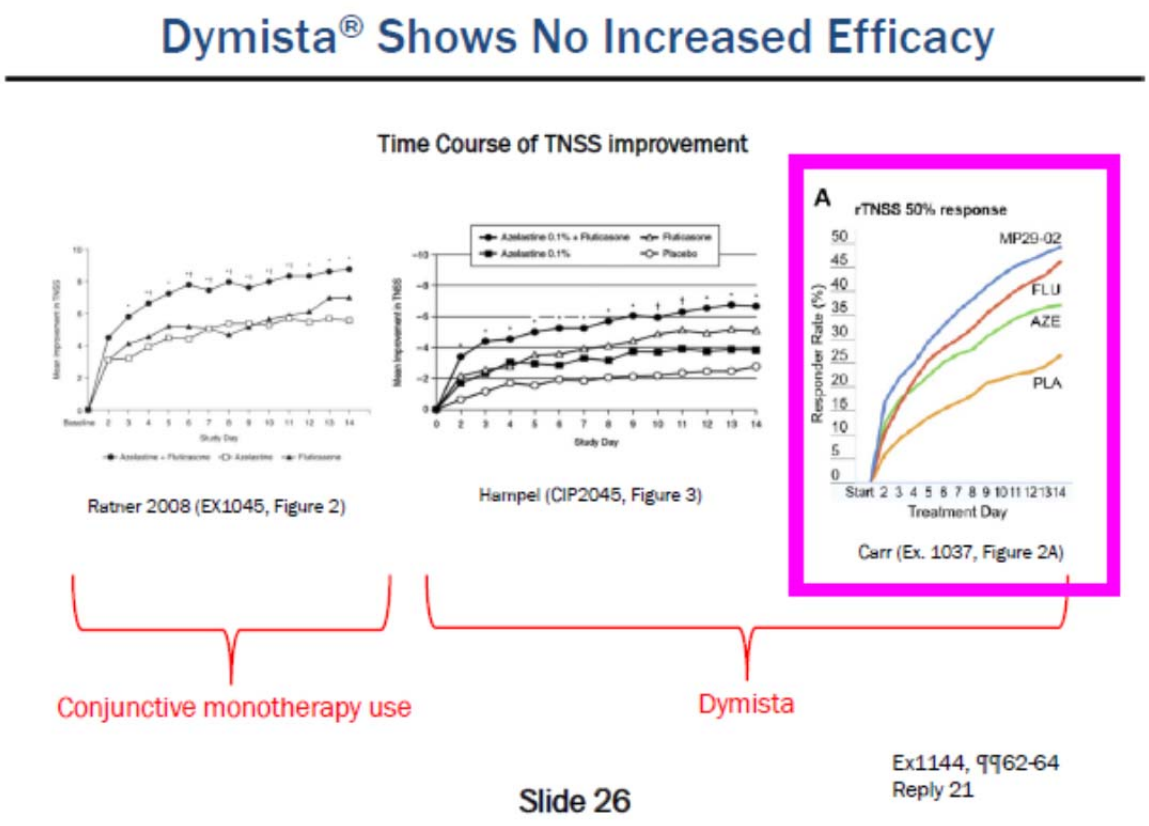
Objections to slide 22 (objected-to portion boxed in purple)



Slide 22

Patent Owner objects to Petitioner's slide 22 because it presents new arguments that were not raised in the Petition or Reply, and relies on evidence that was used in the Petition and Reply to support different points (*see* Reply at 2-3, 26).

Objections to slide 26 (objected-to portion boxed in purple)



Patent Owner objects to Petitioner's slide 26 because the right-most figure presented in that slide appears nowhere in the Petition or Reply, is different from the figure that appears in EX1144 ¶¶ 62-64, and was not relied upon by Dr. Schleimer.

These objections are made within two business days of the May 16, 2018 oral hearing as required by the Board's Order. (Paper 40.) Patent Owner does not

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