

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

3
4 APOTEX INC., APOTEX CORP., ARGENTUM PHARMACEUTICALS LLC,
5 ACTAVIS ELIZABETH LLC, TEVA PHARMACEUTICALS USA, INC.,
6 SUN PHARMACEUTICAL INDUSTRIES, LTD., SUN PHARMACEUTICAL
INDUSTRIES, INC., AND SUN PHARMA GLOBAL FZE,
Petitioners,

7 v.

8 NOVARTIS A.G.,
9 Patent Owner.

10 IRP2017-00854
11 Patent No. 9,187,405

12 CALL WITH THE BOARD
13

14 Taken at 701 Fifth Avenue, Suite 5100

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16 Seattle, Washington
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23 DATE TAKEN: January 10, 2018

24 REPORTED BY: KATHLEEN HAMILTON, RPR, CRR, CCR 1917
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A P P E A R A N C E S

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JUDGE POLLOCK
JUDGE GREEN
JUDGE KAISER

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A P P E A R A N C E S (CONTINUED)

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1 CALL WITH BOARD

2 SEATTLE, WASHINGTON; JANUARY 10, 2018

3 8:00 a.m.

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6 JUDGE POLLOCK: This call is in relation to
7 IPR2017-00854. This is Judge Pollock. I have with me
8 Judges Green and Kaiser.

9 I would like to start with a roll call. Go
10 ahead for petitioner.

11 MR. PARMELEE: Good morning, your Honors.
12 This is Steve Parmelee and Jad Mills for petitioner
13 Apotex.

14 MS. REA: Good morning. This is Teri Rea
15 and Shannon Lentz on behalf of petitioner Argentum.

16 MR. PARK: Good morning. This is Sam Park
17 on behalf of petitioner Sun Pharmaceutical.

18 MR. SPRINGSTED: Good morning. This is
19 Gregory Springsted on behalf of petitioners Actavis and
20 Teva.

21 JUDGE POLLOCK: Anyone else? Very good.

22 Is there a court reporter on the line?

23 MR. PARMELEE: Yes, your Honor, we do have a
24 court reporter on the line.

25 JUDGE POLLOCK: And who engaged the court

1 CALL WITH BOARD

2 reporter?

3 MR. PARMELEE: Petitioner Apotex.

4 JUDGE POLLOCK: Very good. If Apotex would
5 submit a copy of the transcript as an exhibit when it's
6 available, that would be fine.

7 MR. PARMELEE: Certainly we will.

8 JUDGE POLLOCK: Petitioners requested this
9 call regarding the routine or additional discovery of
10 FDA minutes of the February 2, 2005, meeting between the
11 FDA and Novartis, which is referenced in Exhibit 2066
12 and at paragraph 55 of Dr. Lublin's second deposition
13 which quotes Exhibit 2066; two, a briefing book for the
14 March 26th, 2007, end of phase two meeting, which is
15 referenced in Exhibit 2064, which itself is referenced
16 via paragraph 46 of Dr. Lublin's second declaration; and
17 an unredacted copy of 2063, which is cited at paragraphs
18 52 and 56 of Dr. Lublin's second declaration.

19 Petitioner, would you like to begin?

20 MR. PARMELEE: Yes, your Honor. I just want
21 to confirm that counsel for patent owner is on the line.
22 I didn't hear them introduce themselves.

23 JUDGE POLLOCK: Oh, I'm sorry. My mistake.
24 Is counsel for patent owner there?

25 MR. TRENCHARD: We are, your Honor. This is

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