

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

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APOTEX, INC., APOTEX CORP.)
ARGENTUM PHARMACEUTICALS,)
LLC, ACTAVIS ELIZABETH LLC,)
TEVA PHARMACEUTICALS USA,)
INC., SUN PHARMACEUTICAL)
INDUSTRIES LTD., SUN)
PHARMACEUTICAL INDUSTRIES,)
INC., and SUN PHARMA GLOBAL,)
FZE)

Petitioners,)

vs.) IPR 2017-00854
Patent No.

NOVARTIS, A.G.,) 9,187,405

Patent Owner.)

-----)

DEPOSITION OF FRED D. LUBLIN, M.D.
New York, New York
January 29, 2018

JOB NO. 137008

Reported by: BONNIE PRUSZYNSKI, RMR, RPR, CLR

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January 29, 2018
11:30 A.M.

DEPOSITION OF FRED D. LUBLIN,
M.D. , held at 5 East 98th Street, New York, New
York, before Bonnie Pruszynski, a Registered
Professional Reporter, Registered Merit Reporter,
Certified Livenote Reporter, and Notary Public of
the State of New York.

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A P P E A R A N C E S:

WILSON SONSINI GOODRICH & ROSATI

Attorneys for Petitioner Apotex

701 Fifth Avenue

Seattle, Washington 98104

BY: JAD MILLS, ESQ.

STEVE PARMELEE, ESQ.

KIRKLAND & ELLIS

Attorneys for Petitioner Teva

601 Lexington Avenue

New York, New York 10022

BY: GREGORY SPRINGSTED, ESQ.

GIBSON, DUNN & CRUTCHER

Attorneys for Patent Owner

200 Park Avenue

New York, New York 10166

BY: ROBERT TRENCHARD, ESQ.

JANE LOVE, Ph.D., ESQ.

1 F. Lublin, M.D.

2 (Witness sworn.)

3 FRED D. LUBLIN, M.D.

4 called as a witness, having been first
5 duly sworn, was examined and testified
6 as follows:

7 EXAMINATION

8 BY MR. MILLS:

9 Q. Dr. Lublin, this is Jad Mills. We
10 met on December 15, 2017, at your -- when
11 your deposition began. Do you recall that?

12 A. I do.

13 Q. And just as a reminder, I represent
14 the Apotex petitioners in these IPR
15 proceedings. You understand that?

16 A. Yes.

17 Q. And you recall at your
18 December 15th, 2017 deposition, that you
19 testified at that time that there was no
20 reason you couldn't provide your best
21 testimony that day. Do you recall that?

22 A. I do.

23 Q. Is the same true today?

24 A. Yes.

25 Q. Okay. And you understand that you

1 F. Lublin, M.D.
2 are under the same continuing obligation to
3 tell the truth and answer my questions today;
4 correct?

5 MR. TRENCHARD: Objection to
6 "continuing." It's a new oath.

7 But you can answer.

8 A. Yes.

9 MR. MILLS: I would ask that
10 Dr. Lublin be presented with his third
11 declaration.

12 MR. TRENCHARD: Happy to do so.

13 Q. Dr. Lublin, do you have the
14 document in front of you?

15 A. I do.

16 Q. There is no exhibit number on the
17 document; is that correct?

18 A. I don't know what that means.

19 Q. On the front page in the lower
20 right-hand corner, there isn't something that
21 says Novartis 20 something, something;
22 correct?

23 A. Yes.

24 Q. So, I just want to make sure we are
25 looking at the same document. The document

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