

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ARGENTUM PHARMACEUTICALS LLC,
Petitioner

v.

ALCON RESEARCH, LTD.,
Patent Owner

Case IPR2017-01053
Patent 8,268,299

ALCON RESEARCH, LTD.'S FIFTH UPDATED EXHIBIT LIST

<i>Alcon Exhibit No.</i>	<i>Description</i>
2001	Declaration of Adam L. Perlman in Support of Motion for <i>Pro Hac Vice</i> Admission Pursuant to 37 C.F.R. § 42.10(c)
2002	Declaration of Alexander S. Zolan in Support of Motion for <i>Pro Hac Vice</i> Admission Pursuant to 37 C.F.R. § 42.10(c)
2003	Declaration of Christopher J. Mandernach in Support of Motion for <i>Pro Hac Vice</i> Admission Pursuant to 37 C.F.R. § 42.10(c)
2004	Center for Drug Evaluation and Research, Medical Review, NDA No. 21-994. Available at: https://www.accessdata.fda.gov/drugsatfda_docs/nda/2006/021994s000TOC.cfm
2005	United States Patent Application Publication No. 2007/0212420 A1
2006	Declaration of Bhagwati P. Kabra, Ph.D.
2007	Declaration of Stephen Shannon, MBA, Ph.D.
2008	Alcon Laboratory Notebook No. 11118, pp. 77–82
2009	Alcon Laboratory Notebook No. 11781, pp.19–21
2010	Alcon Laboratory Notebook No. 10545, p. 51
2011	Alcon Laboratory Notebook No. 10750, p. 81
2012	Alcon Laboratory Notebook No. 11068, pp. 17–24
2013	Alcon Laboratory Notebook No. 9988, p. 87
2014	Alcon Laboratory Notebook No. 13160, p. 66
2015	Alcon Laboratory Notebook No. 13292, pp. 38–39
2016	Alcon Laboratory Notebook No. 11781, pp. 81–83
2017	Adjunctive Pages to Alcon Laboratory Notebook No. 11781, pp. 81–83
2018	Alcon Laboratory Notebook No. 10750, p. 19
2019	Alcon Laboratory Notebook No. 10545, p. 41
2020	Alcon Laboratory Notebook No. 10750, p. 21
2021	Alcon Laboratory Notebook No. 12586, p. 63
2022	Alcon Laboratory Notebook No. 12034, p. 91
2023	Declaration of Soumyajit Majumdar, Ph.D.
2024	Curriculum Vitae of Soumyajit Majumdar, Ph.D
2025	Declaration of George Zhanel, Ph.D
2026	Curriculum Vitae of George Zhanel, Ph.D
2027	Declaration of Richard K. Parrish, II, M.D.
2028	Curriculum Vitae of Richard K. Parrish, II, M.D.
2029	Declaration of Henry Grabowski, Ph.D.
2030	Curriculum Vitae of Henry Grabowski, Ph.D.

2031	The Merck Index, An Encyclopedia of Chemicals, Drugs, and Biologicals (13th ed. 2001), Merck Research Laboratories, 1810
2032	53 Fed. Reg. 7076 (Mar. 4, 1988)
2033	U.S. Pharmacopeia 23 (1995)
2034	Remington: The Science and Practice of Pharmacy (20th ed. 2000)
2035	Final Report on the Safety Assessment of Polyquaternium-10, <i>7 J. of the Am. College of Toxicology</i> 347 (1988)
2036	United States Patent No. 5,336,508
2037	United States Patent No. 5,393,491
2038	United States Patent No. 5,741,817
2039	United States Patent No. 6,872,705
2040	TRAVATAN Z [®] and Other Prostaglandin Analog Drugs
2041	TRAVATAN Z [®] Wholesale Dollar Sales
2042	TRAVATAN Z [®] and Other Prostaglandin Analog Drugs, Share of Wholesale Dollar Sales
2043	Number of Prescriptions for TRAVATAN Z [®]
2044	TRAVATAN Z [®] and Other Prostaglandin Analog Drugs, Share of Prescriptions
2045	Number of New Prescriptions for TRAVATAN Z [®]
2046	TRAVATAN Z [®] and Other Prostaglandin Analog Drugs, Share of New Prescriptions
2047	TRAVATAN Z [®] Unit Sales
2048	TRAVATAN Z [®] and Other Prostaglandin Analog Drugs, Share of Unit Sales
2049	TRAVATAN Z [®] , TRAVATAN [®] , and LUMIGAN [®] , Cumulative Wholesale Dollar Sales
2050	Number of Prescriptions for TRAVATAN [®]
2051	TRAVATAN Z [®] and Other Prostaglandin Analog Drugs, Share of Voice Excluding Retail Value of Samples
2052	TRAVATAN Z [®] and Other Prostaglandin Analog Drugs, Share of Voice Including Retail Value of Samples
2053	TRAVATAN Z [®] , TRAVATAN [®] , and LUMIGAN [®] , Marketing-to-Sales Ratio Excluding Retail Value of Samples
2054	TRAVATAN Z [®] , TRAVATAN [®] , and LUMIGAN [®] , Promotional Spending Excluding Retail Value of Samples
2055	TRAVATAN Z [®] and Other Prostaglandin Analog Drugs, Formulary Placement for Commercial Plans 2017–2018
2056	TRAVATAN Z [®] and Other Prostaglandin Analog Drugs, Formulary Placement for Commercial Plans 2017–2018

2057	TRAVATAN Z [®] and Other Prostaglandin Analog Drugs, Formulary Placement for Medicare Plans 2017–2018
2058	TRAVATAN Z [®] and Other Prostaglandin Analog Drugs, Formulary Placement for Medicare Plans 2017–2018
2059	“Bibliography of Published Papers and Presentations Using QuintilesIMS Information,” QuintilesIMS Institute, May 2017
2060	U.S. Food and Drug Administration, TRAVATAN Z [®] NDA Approval Letter, September 21, 2006
2061	Alcon, Inc., Form 20-F 2006
2062	U.S. Food and Drug Administration, TRAVATAN Z [®] Label, July 2010
2063	Sucampo Pharmaceuticals Inc., Form 10-K 2014
2064	Regnier, S. A. and D. B. Ridley, 2015, “Market Watch: Forecasting Market Share in the US Pharmaceutical Market,” <i>Nature Reviews Drug Discovery</i> , Vol. 14, No. 9, pp. 594–595
2065	Kalyanaram, G., 2008, “The Order of Entry Effect in Prescription (Rx) and Over-the-Counter (OTC) Pharmaceutical Drugs,” <i>International Journal of Pharmaceutical and Healthcare Marketing</i> , Vol. 2, No. 1, pp. 35–46
2066	Berndt, E. R., et al., 1995, “Information, Marketing, and Pricing in the U.S. Antiulcer Drug Market,” <i>The American Economic Review</i> , Vol. 85, No. 2, pp. 100–105
2067	Berndt, E. R., et al., 2002, “An Analysis of the Diffusion of New Antidepressants: Variety, Quality, and Marketing Efforts,” <i>The Journal of Mental Health Policy and Economics</i> , Vol. 5, pp. 3–19
2068	Schmalensee, R., 1982, “Product Differentiation Advantages of Pioneering Brands,” <i>The American Economic Review</i> , Vol. 72, No. 3, pp. 349–365
2069	Azoulay, P., 2002, “Do Pharmaceutical Sales Respond to Scientific Evidence?” <i>Journal of Economics & Management Strategy</i> , Vol. 11, No. 4, pp. 551–594
2070	Iizuka, T., 2004, “What Explains the Use of Direct-to-Consumer Advertising of Prescription Drugs?” <i>The Journal of Industrial Economics</i> , Vol. 52, No. 3, pp. 349–379
2071	Leffler, K. B., 1981, “Persuasion or Information? The Economics of Prescription Drug Advertising,” <i>Journal of Law and Economics</i> , Vol. 24, No. 1, pp. 45–74
2072	Venkataraman, S. and S. Stremersch, 2007, “The Debate on Influencing Doctors’ Decisions: Are Drug Characteristics the Missing Link?” <i>Management Science</i> , Vol. 53, No. 11, pp. 1688–1701

2073	Berndt, E. R., 2001, “The U.S. Pharmaceutical Industry: Why Major Growth in Times of Cost Containment?” <i>Health Affairs</i> , Vol. 20, No. 2, pp. 100–114
2074	Berndt, E. R., 2002, “Pharmaceuticals in U.S. Health Care: Determinants of Quantity and Price,” <i>Journal of Economic Perspectives</i> , Vol. 16, No. 4, pp. 45–66
2075	Coscelli, A. and M. Shum, 2004, “An Empirical Model of Learning and Patient Spillovers in New Drug Entry,” <i>Journal of Econometrics</i> , Vol. 122, pp. 213–246
2076	Lakdawalla, D. and T. Philipson, 2012, “Does Intellectual Property Restrict Output? An Analysis of Pharmaceutical Markets,” <i>Journal of Law and Economics</i> , Vol. 55, No. 1, pp. 151–187
2077	Ross, J. S. and A. S. Kesselheim, 2013, “Prescription-Drug Coupons—No Such Thing as a Free Lunch,” <i>The New England Journal of Medicine</i> , Vol. 369, No. 13, pp. 1188–1189
2078	“Prescription Drug Discount Coupons: Implications for Public and Commercial Health Care Plans,” Congressional Research Service, November 5, 2015, available at https://www.everycrsreport.com/files/20151105_R44264_cc230c6ca7301b5df95d1210de9d33ca46c9b64d.pdf
2079	“Prescription Drug Discount Coupons and Patient Assistance Programs (PAPs),” Congressional Research Service, June 15, 2017, available at https://www.everycrsreport.com/files/20170615_R44264_1620b32a24a5e7e0bd6150be54c139fc134c4ab2.pdf
2080	Starner, C., et al., 2014, “Specialty Drug Coupons Lower Out-of-Pocket Costs and May Improve Adherence at the Risk of Increasing Premiums,” <i>Health Affairs</i> , Vol. 33, No. 10, pp. 1761–1769
2081	Shrank, W. H., et al., 2010, “The Epidemiology of Prescriptions Abandoned at the Pharmacy,” <i>Annals of Internal Medicine</i> , Vol. 153, No. 10, pp. 633–640, W-212–213
2082	Tenaglia, M., 2012, “Copay Cards and Coupons: Letting the Facts Get in the Way,” PharmExec.com, available at http://www.pharmexec.com/copay-cards-and-coupons-letting-facts-get-way?id=&sk=&date=&%0A%09%09%09&pageID=2
2083	“The Use of Medicines in the United States: Review of 2011,” IMS Institute for Healthcare Informatics, April 2012
2084	PSKW Special Sponsored Section, 2016, “State of the Art: Highlights from CBI’s 2016 Formulary, Co-Pay and Access Summit,” <i>Pharmaceutical Executive</i> , Vol. 36, No. 6, pp. 14–15

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