

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TARO PHARMACEUTICALS U.S.A., INC.
Petitioner,

v.

APOTEX TECHNOLOGIES, INC.
Patent Owner

Inter Partes Review No. IPR2017-01446
Patent No. 7,049,328

PETITIONER'S OBJECTIONS TO PATENT OWNER'S EVIDENCE
SUBMITTED WITH PATENT OWNER'S PRELIMINARY RESPONSE

Pursuant to 37 C.F.R. § 42.64(b)(1) and the Federal Rules of Evidence (“FRE”), Petitioner Taro Pharmaceuticals U.S.A., Inc. (“Taro”) objects to the admissibility of evidence filed by Patent Owner Apotex Technologies, Inc. on September 11, 2017, with its Patent Owner Preliminary Response.

1. Exhibit 2006

Taro objects to this exhibit because it is inadmissible hearsay under FRE 802 and Patent Owner has not shown that it is within any hearsay exception.

2. Exhibit 2008

Taro objects to this exhibit under FRE 401 and 402 because it is not relevant under FRE 401 and therefore not admissible under FRE 402. Taro further objects to this exhibit under FRE 403 because Patent Owner has not shown that any probative value is substantially outweighed by the danger of unfair prejudice, confusing the issues, or wasting time. Taro objects to this exhibit as not authenticated under FRE 901. Taro further objects to this exhibit because it is inadmissible hearsay under FRE 802 and Patent Owner has not shown that it is within any hearsay exception.

3. Exhibit 2010

Taro objects to this exhibit under FRE 401 and 402 because it is not relevant under FRE 401 and therefore not admissible under FRE 402. Taro further objects to this exhibit under FRE 403 because Patent Owner has not shown that any

probative value is substantially outweighed by the danger of unfair prejudice, confusing the issues, or wasting time.

4. Exhibit 2014

Taro objects to this exhibit as not authenticated under FRE 901. Taro further objects to this exhibit because it is inadmissible hearsay under FRE 802 and Patent Owner has not shown that it is within any hearsay exception.

5. Exhibit 2015

Taro objects to this exhibit because it is inadmissible hearsay under FRE 802 and Patent Owner has not shown that it is within any hearsay exception.

6. Exhibit 2016

Taro objects to this exhibit because it is inadmissible hearsay under FRE 802 and Patent Owner has not shown that it is within any hearsay exception.

Respectfully submitted,

Dated: December 12, 2017

/Huiya Wu /
Huiya Wu (Reg. No. 44,411)
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Counsel for Petitioner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§ 42.6(e), I certify that on this 12th day of December, 2017, I served a copy of this PETITIONER'S OBJECTIONS TO PATENT OWNER'S EVIDENCE SUBMITTED WITH PATENT OWNER'S PRELIMINARY RESPONSE by electronic mail on the following:

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/Sarah Fink/
Sarah Fink