

1 UNITED STATES PATENT AND TRADEMARK OFFICE

2
3 BEFORE THE PATENT TRIAL AND APPEAL BOARD

4
5 AUROBINDO PHARMA USA, INC.
6 Petitioner,

7 v.

8 ANDRX CORPORATION
9 ANDRX LABORATORIES, INC.
10 ANDRX LABORATORIES (NJ), INC.
11 ANDRX EU LTD.
12 ANDRX PHARMACEUTICALS, LLC
13 TEVA PHARMACEUTICAL INDUSTRIES LTD.
14 Patent Owner(s)

15 Case IPR2017-01648

16 Patent 6,866,866 B1

17 DEPOSITION OF: FATEMEH AKHLAGHI, Pharm.D., Ph.D.

18 DATE: MAY 24, 2018

19 TIME: 10:03 O'CLOCK A.M.

20 HELD AT: WITHERS BERGMAN, LLP
21 1700 East Putnam Avenue, Suite 400
22 Greenwich, Connecticut 06870

Reporter: Bethany A. Carrier, RMR, CRR, LSR #071

Andrx 2011

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A P P E A R A N C E S

Representing Aurobindo Pharma USA, INC.:

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60 State Street
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By: JONATHAN B. ROSES, ESQ.
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Representing Teva Pharmaceutical Industries LTD and Andrx Corporation:

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By: DAVID CHAVOUS, Ph.D., ESQ.
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Also Present:

Bob Bellatone
Peter Cofrancesco, Videographer

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EXAMINATION

Witness Name	Page
DR. FATEMEH AKHLAGHI	
Direct By MR. ROSES	6
Cross By DR. MOORE	128

EXHIBITS

Exhibit	Description	Page NO.
Exhibit 2003	Notice of Deposition	11
Exhibit 1001	Patent 6,866,866	16
Exhibit 2004	Basson article	57

** Exhibits attached to transcript.

1	(The deposition commenced: 10:03 a.m.)	10:03:38
2		10:03:43
3	THE VIDEOGRAPHER: Here begins the	10:05:43
4	videotape deposition of Fatemeh Akhlaghi in the	10:05:45
5	matter of Aurobindo Pharma versus Andrx, et	10:05:49
6	al., in the U.S. -- held in the U.S. Patent	10:05:54
7	and Trademark Office, Case Number	10:05:58
8	IRP2017-01648.	10:05:59
9	Today's date is May 24, 2018. And	10:06:08
10	the time on the monitor is 10:06.	10:06:10
11	My name is Peter Cofrancesco	10:06:14
12	representing Planet Depos. The videotape	10:06:17
13	deposition is taking place in Old Greenwich,	10:06:20
14	in Connecticut.	10:06:23
15	Would counsel please identify	10:06:24
16	themselves for the record and who they	10:06:26
17	represent.	10:06:28
18	MR. ROSES: Jonathan Roses of Wilmer	10:06:29
19	Hale on behalf of Shionogi.	10:06:31
20	DR. CHAVOUS: David Chavous of	10:06:32
21	Chavous Intellectual Property Law on behalf	10:06:33
22	of -- one moment, I apologize -- on behalf of	10:06:37

PLANET DEPOS

1	Andrx Labs, LLC, and Teva Pharmaceuticals	10:06:40
2	U.S.A.	10:06:42
3	DR. BELLANTONE: Robert Bellantone,	10:06:44
4	consultant working with Mr. Roses and	10:06:46
5	Mr. Chavous.	10:06:49
6	DR. MOORE: Steve Moore with Withers	10:06:54
7	Bergman representing Aurobindo.	10:06:57
8	I just want to ask the first	10:07:00
9	question. I didn't realize that David was	10:07:02
10	from a firm other than your Wilmer Hale and he	10:07:06
11	seems to be representing two parties that I	10:07:10
12	don't even recognize being involved in this	10:07:14
13	case.	10:07:21
14	MR. ROSES: Yes. In the caption --	10:07:22
15	the case caption, as well as the real parties	10:07:24
16	in interest, it's laid out there, the	10:07:26
17	complicated relationship.	10:07:29
18	DR. MOORE: Okay.	10:07:31
19	MR. ROSES: We can unwind it later,	10:07:31
20	I think.	10:07:31
21	DR. MOORE: Okay. That's fine.	10:07:32
22	That's fine. I just wanted to make sure that	10:07:33

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