

1 UNITED STATES PATENT AND TRADEMARK OFFICE  
 2 \_\_\_\_\_  
 3 BEFORE THE PATENT TRIAL AND APPEAL BOARD  
 4 \_\_\_\_\_  
 5 COALITION FOR AFFORDABLE DRUGS X LLC, Petitioner,  
 6 v. ANACOR PHARMACEUTICALS, INC., Patent Owner.

9 Case No. IPR2015-01776  
 10 U.S. Patent No. 7,582,621  
 11 Case No. IPR2015-01780  
 12 U.S. Patent No. 7,767,657  
 13 Case No. IPR2015-01785  
 14 U.S. Patent No. 7,767,567

16 VOLUME 1 OF 3  
 17 DEPOSITION OF NARASIMHA MURTHY, Ph.D.

18  
 19 Taken at the instance of the Patent Owner at The Inn  
 20 at Ole Miss, 120 Alumni Drive, University,  
 21 Mississippi, on Wednesday, May 4, 2016, beginning at  
 22 8:35 a.m.

23  
 24 GINGER H. BROOKS, CCR #1165  
 25 CRR, RPR, CCR, CLR, RSA

1 APPEARANCES:

2 PETER A. GERGELY, ESQ.  
3 RYAN JAMES FLETCHER, PH.D, ESQ.  
4 KATHLEEN E. OTT, ESQ.  
5 Merchant & Gould  
6 1801 California Street, Suite 3300  
7 Denver, Colorado 80202-2654  
8 pgergely@merchantgould.com  
9 rfletcher@merchantgould.com  
10 kott@merchantgould.com

11  
12 COUNSEL FOR PETITIONER

13  
14 ANDREA G. REISTER, ESQ.  
15 PAUL J. BERMAN, ESQ.  
16 ALEXANDER TRZECIAK, ESQ.  
17 Covington & Burling, LLP  
18 850 Tenth Street, NW  
19 Washington, DC 20001-4956  
20 areister@cov.com  
21 pberman@cov.com  
22 atrzeciak@cov.com

23 COUNSEL FOR PATENT OWNER

24  
25 VIDEOGRAPHER: Brent Shorter

1 INDEX

2 Certificate of Deponent .....226

3 Certificate of Court Reporter .....228

4

5 EXHIBITS

6 Exhibit 1008: Declaration - Patent .....20  
No. 7,582,621

7 Exhibit 1011-1: Declaration, First .....39  
Petition, Patent No. 7,767,657

8 Exhibit 1011-2: Declaration, Second .....47  
Petition, Patent No. 7,767,657

9 Exhibit 1009: CV .....64

10 Exhibit 1: Abstract .....76

11 Exhibit 2: 10/29/15 Press Release .....77

12 Exhibit 3: Article .....82

13 Exhibit 4: Book .....88

14 Exhibit 1003 (Previously Marked) .....120

15 Exhibit 1002: International .....135  
Publication Number WO 9533754

16 Exhibit 5: Structural Diagram .....191

17 Exhibit 1025 (Previously Marked) .....157

18 Exhibit 6: Structural Diagram .....192

19 Exhibit 7: Structural Diagram .....192

20 Exhibit 8: Structural Diagram .....193

21 Exhibit 9: Structural Diagram .....194

22 Exhibit 10: Structural Diagram .....194

23 Exhibit 11: Structural Diagram .....195

24

25

1                   VIDEOGRAPHER: This is the Video  
2                   Deposition of Dr. Narasimha Murthy taken in the  
3                   matter of "Coalition for Affordable Drugs X LLC v.  
4                   Anacor Pharmaceuticals, Inc." The date is May 4th,  
5                   2016. The time now is 8:35 a.m.

6                   Counsel may now introduce themselves for  
7                   the record.

8                   MS. REISTER: Andrea Reister, Covington &  
9                   Burling, on behalf of Anacor Pharmaceuticals.

10                  MR. BERMAN: Paul Berman, Covington &  
11                  Burling, on behalf of Anacor Pharmaceuticals.

12                  MR. TRZECIAK: Alex Trzeciak, Covington &  
13                  Burling, for Anacor Pharmaceuticals.

14                  MR. GERGELY: Peter Gergely, Merchant &  
15                  Gould, P.C., on behalf of Petitioner.

16                  THE VIDEOGRAPHER: The Court Reporter may  
17                  now swear in the witness.

18                  NARASIMHA MURTHY, Ph.D,  
19                  having been first duly sworn, was examined and  
20                  testified as follows:

21                  MR. GERGELY: Just for the record, there's  
22                  two other attorneys here, Ryan Fletcher and Kathy  
23                  Ott, both with Merchant & Gould, P.C., on behalf of  
24                  the Petitioner.

25                  EXAMINATION BY MS. REISTER:

1 Q. Good morning, Dr. Murthy.

2 A. Good morning.

3 Q. Is there any reason that you cannot  
4 testify truthfully today?

5 A. No.

6 Q. Are you ill?

7 A. I'm not.

8 Q. Excuse me?

9 A. There's no reason.

10 Q. No reason.

11 And you're not on any medication or  
12 anything like that?

13 A. I'm not.

14 Q. No? Okay.

15 I want to establish a couple of ground  
16 rules.

17 A. Okay.

18 Q. This is a question and answer.

19 A. Okay.

20 Q. And I'm going to ask the questions and  
21 you're going to answer the questions. The counsel  
22 that are present here today may object to the  
23 questions, but you still have to answer the  
24 questions.

25 If you need a break, let us know, and

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.