

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

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5 FLATWING PHARMACEUTICALS, LLC  
6 and MYLAN PHARMACEUTICALS, INC.,  
7 Petitioner.

8 vs.

9 ANACOR PHARMACEUTICALS,  
10 Patent Owner.

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14 DEPOSITION OF, STEPHEN KAHL, Ph.D.

15 PALO ALTO, CALIFORNIA

16 TUESDAY, DECEMBER 8, 2019

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21 BY: ANDREA M. IGNACIO, CSR, RPR, CRR, CCRR, CLR ~

22 CSR LICENSE NO. 9830

23 JOB NO. 153635  
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and MYLAN PHARMACEUTICALS, INC.,

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Petitioner.

vs.

ANACOR PHARMACEUTICALS,

Patent Owner.

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Deposition of Stephen Kahl, Ph.D., taken on behalf of the Patent Owner, on Tuesday, January 8, 2019, at WILSON SONSINI GOODRICH & ROSATI, 650 Page Mill Road, Palo Alto, California, beginning at 9:34 a.m., and ending at 11:28 a.m., Pursuant to Notice, and before me, ANDREA M. IGNACIO, CSR, RPR, CRR, CLR ~ License No. 9830.

1     A P P E A R A N C E S:

2

3             FOR PETITIONER:

4                     HUSCH BLACKWELL

5                     By:   PHILIP SEGREST, JR., Esq.

6                     120 South Riverside Plaza

7                     Chicago, Illinois 60606

8

9             FOR THE PATENT OWNER:

10                    WILLIAMS & CONNOLLY

11                    By:   ANTHONY SHEH, Esq.

12                    725 Twelfth Street, N.W.

13                    Washington, D.C. 20005

14

15             ALSO PRESENT:

16                    WILSON SONSINI GOODRICH & ROSATI

17                    By:   JAD WILLIAMS, Esq.

18                    701 Fifth Avenue

19                    Seattle, Washington 98104

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1 PALO ALTO, CALIFORNIA  
2 TUESDAY, JANUARY 8, 2019  
3 9:34 A.M.  
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7 STEPHEN KAHL, Ph.D.,  
8 having been sworn as a witness  
9 by the Certified Shorthand Reporter,  
10 testified as follows:  
11

12 EXAMINATION

13 BY MR. SHEH:

14 Q Good morning, Dr. Kahl. Could you please  
15 state your full name for the record.

16 A Good morning. My full name is Stephen Bruce  
17 Kahl.

18 Q And could you please state your home address.

19 A My home address is --

20 MR. SEGREST: Objection; relevance.

21 THE WITNESS: Pardon?

22 MR. SEGREST: I said objection; relevance.

23 THE WITNESS: Oh.

24 MR. SEGREST: But you can answer.

25 THE WITNESS: Sorry. I didn't hear.

1           1 Lerida Court, Portola Valley, California.

2           MR. SHEH: Q. My name is Tony Sheh. I'm here  
3 on behalf of the patent owner, Anacor Pharmaceuticals,  
4 Inc. With me today is Aaron Maurer, also representing  
5 Anacor. We're from Williams & Connolly.

6           Is it your understanding that you're appearing  
7 today as an expert witness on behalf of petitioner  
8 FlatWing Pharmaceuticals?

9           A Correct.

10          Q And is it your understanding that you're  
11 appearing as an expert witness in four matters pending  
12 before the Patent Trial and Appeal Board?

13          A Yes.

14          Q Okay. All right.

15                 (Document marked Exhibit 1047  
16                 for identification.)

17          MR. SHEH: Showing you what's been marked as  
18 Exhibit 1047.

19          Q Dr. Kahl, do you recognize Exhibit 1047?

20          A Yes, I do.

21          Q What is Exhibit 1047?

22          A This is my direct declaration in support of  
23 petitioner's reply to the patent owner's response.

24          Q And you filed this reply declaration in four  
25 cases; is that right?

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