

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KVK-TECH, INC.,
Petitioner,

v.

SHIRE PLC,
Patent Owner.

Case IPR2018-00290 (Patent 8,846,100 B2)
Case IPR2018-00293 (Patent 9,173,857 B2)

Record of Oral Hearing
Held: April 4, 2019

Before RAMA G. ELLURU, SHERIDAN K. SNEDDEN, and
DEVON ZASTROW NEWMAN, *Administrative Patent Judges*.

Case IPR2018-00290 (Patent 8,846,100 B2)
Case IPR2018-00293 (Patent 9,173,857 B2)

APPEARANCES:

ON BEHALF OF THE PETITIONER:

STEVEN ROTH, ESQ.
THOMAS VETTER, ESQ.
DAVID J. GALLUZO, ESQ.
Lucas & Mercanti LLP
30 Broad Street
New York, New York 10004
212-661-8000
sroth@lmiplaw.com
tvetter@lmiplaw
djg@lmiplaw

ON BEHALF OF THE PATENT OWNER:

JOSEPH R. ROBINSON, ESQ.
ROBERT SCHAFFER, ESQ.
Troutman Sanders LLP
875 Third Avenue
New York, New York 10022
212-704-6000
joseph.robinson@troutman.com
robert.schaffer@troutman.com

and

DUSTIN B. WEEKS, ESQ.
Troutman Sanders LLP
600 Peachtree Street, NE, Suite 3000
Atlanta, Georgia 30308
404-885-3446
dustin.weeks@troutman.com

Case IPR2018-00290 (Patent 8,846,100 B2)
Case IPR2018-00293 (Patent 9,173,857 B2)

The above-entitled matter came on for hearing on Thursday, April 4, 2019, commencing at 10:08 a.m. at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

1 P R O C E E D I N G S

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3 10:08 a.m.

4 JUDGE NEWMAN: Good morning. This is Judge Newman from
5 Portland, Oregon. Judges Snedden and Elluru are in the courtroom there
6 with you. I will be running the Portland -- the hearing from Portland here,
7 so a couple of things to consider there.

8 First of all, I can't see what is on the screen; however, I do have a
9 copy of the demonstratives. So if you would please speak clearly into the
10 microphone and let me know what slide it is that you're looking at and what
11 it is that you're pointing at, that will help me to keep track of what's going on
12 with the hearing.

13 Has everyone there given a card to the court reporter so that the court
14 reporter can identify who you are?

15 MR. ROTH: Yes, Your Honor.

16 MR. ROBINSON: Yes, Your Honor.

17 JUDGE NEWMAN: Okay. Great. Let's start by putting everyone
18 on the record starting with Petitioner.

19 MR. ROTH: Yes, this is Steven Roth from Lucas & Mercanti for
20 Petitioner. With me is David Galluzo and Tom Vetter from Lucas &
21 Mercanti. Anthony Tabasso who is president of KVK-Tech is also here.

22 JUDGE ELLURU: Thank you.

23 For Patent Owner?

1 MR. ROBINSON: Yes, I'm Joseph Robinson for Patent Owner
2 from Troutman Sanders. I'm here with my partners Dustin Weeks and
3 Robert Schaffer, as well as Tanya Leavy. Also present is David Banchik,
4 who is chief of litigation for Takeda, who is now Shire.

5 JUDGE NEWMAN: Thank you. Both parties have requested and
6 been given 60 minutes for oral argument this morning. As you know, you
7 can reserve some time for rebuttal. How would you like to split the
8 argument, starting with Petitioner?

9 MR. ROBINSON: It's not clear. Probably 45 to 50 minutes
10 initially and 10 to 15 for rebuttal.

11 JUDGE ELLURU: Okay. So you would like -- would you like me
12 to tell you in about 45 minutes?

13 MR. ROBINSON: Yes.

14 JUDGE NEWMAN: Okay. So you'd like to reserve about 10 to 15
15 minutes to respond?

16 MR. ROBINSON: Yes, although it may be less depending on
17 quickly it takes me to get through it. So, but --

18 JUDGE NEWMAN: Understood. Okay.

19 And then Petitioner?

20 MR. ROTH: We would request the same, Your Honor.

21 JUDGE NEWMAN: Okay. And then, Patent Owner, under the
22 new Trial Practice Guide you are allowed to have a small response at the
23 end. Would you like to do that as well?

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