

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMNEAL PHARMACEUTICALS LLC and AMNEAL
PHARMACEUTICALS OF NEW YORK, LLC,
Petitioners,

v.

ALMIRALL, LLC.
Patent Owner.

CASE: IPR2018-00608
U.S. Pat. No. 9,161,926

PETITIONERS' DEMONSTRATIVE EXHIBITS

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Amneal v. Almirall
IPR2018-00608
Amneal Demonstratives

**Petitioners Amneal Pharmaceuticals, LLC and Amneal
Pharmaceuticals of New York, LLC**
U.S. Patent No. 9,161,926

Oral Hearing
June 5, 2019

Honorable Sheridan K. Snedden,
Grace Karaffa Obermann, and Christopher G. Paulraj

Overview

1. Claims 1-6 of the '926 patent
2. Almirall's claim construction argument is a red herring
3. The claims are *prima facie* obvious
 - a. Garrett, Nadau-Fourcade, and Bonacucina teach every limitation of all claims.
 - b. Ground 1: Claims 1-6 of the '926 patent are unpatentable over Garrett and Nadau-Fourcade.
 - c. Ground 2: Claims 1-6 of the '926 patent are unpatentable over Garrett and Bonacucina.
4. All of Almirall's arguments fail to rebut *prima facie* obviousness and contradict its statements elsewhere
5. Almirall did not even allege objective indicia of nonobviousness

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Independent claims 1 and 5

'926
patent

1. A topical pharmaceutical composition comprising:
about 7.5% w/w dapsone;
about 30% w/w to about 40% w/w diethylene glycol monoethyl ether;
about 2% w/w to about 6% w/w of a polymeric viscosity builder consisting of acrylamide/sodium acryloyldimethyl taurate copolymer;
and water; wherein the composition does not comprise adapalene.

5. A topical pharmaceutical composition comprising:
about 7.5% w/w dapsone;
about 30% w/w diethylene glycol monoethyl ether;
about 4% w/w of a polymeric viscosity builder consisting of acrylamide/sodium acryloyldimethyl taurate copolymer;
and water; wherein the composition does not comprise adapalene.

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