

1 UNITED STATES PATENT AND TRADEMARK OFFICE

2 BEFORE THE PATENT TRIAL AND APPEAL BOARD

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5 MYLAN PHARMACEUTICALS INC., :

6 Petitioner, : Case Number

7 vs. : IPR2018-01403

8 BIOGEN MA INC., :

9 Patent Owner. :

10 - - - - - x

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12 VIDEOTAPED DEPOSITION OF

13 RICHARD C. BRUNDAGE

14

15

16 Washington, DC

17 Wednesday, July 10, 2019

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20 REPORTED BY:

21 CARMEN SMITH

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1 Videotaped deposition of RICHARD C. BRUNDAGE,  
2 called for examination pursuant to notice of  
3 deposition, on Wednesday, July 10, 2019, in  
4 Washington, DC, at the offices of Finnegan,  
5 Henderson, Farabow, Garrett & Dunner, LLP, 901 New  
6 York Avenue NW, at 9:05 a.m., before CARMEN SMITH, a  
7 Notary Public within and for the District of  
8 Columbia, when were present on behalf of the  
9 respective parties:

10

11 EMILY J. GREB, ESQ.

12 Perkins Coie LLP

13 33 East Main Street, Suite 201

14 Madison, Wisconsin 53703-3095

15 608.663.7494

16 egreb@perkinscoie.com

17 On behalf of Petitioner

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-- continued --

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1 APPEARANCES (Continued):

2

3 ERIN M. SOMMERS, PhD, ESQ.

4 MARK J. FELDSTEIN, PhD, ESQ.

5 LAURA P. MASUROVSKY, ESQ.

6 Finnegan, Henderson, Farabow, Garrett &

7 Dunner, LLP

8 901 New York Avenue, NW

9 Washington, DC 20001-4413

10 202.408.4000

11 erin.sommers@finnegan.com

12 On behalf of Patent Owner

13

14 ALSO PRESENT: Carol Loeschorn, Esq.

15 Larry Flowers, video operator

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

2 VIDEO OPERATOR: Good morning. We are now  
3 on the record. Please note that the microphones are  
4 sensitive and may pick up whispering and private  
5 conversations. Please turn off all cell phones or 09:05:08  
6 place them away from the microphones as they may  
7 interfere with the deposition audio. Recording will  
8 continue until all parties agree to go off the  
9 record.

10 This is the deposition of Dr. Richard 09:05:20  
11 Brundage, in the matter of Mylan Pharmaceuticals,  
12 Inc., Petitioner, versus Biogen MA, Inc., Patent  
13 Owner, Patent Number 8,399,514, before the United  
14 States Patent and Trademark Office.

15 This deposition is being held at the 09:05:36  
16 offices of Finnegan, Henderson, 901 New York Avenue,  
17 Northwest, Washington, D.C.

18 The date today is July 10, 2019. Our  
19 court reporter is Carmen Smith with the firm of  
20 Ace-Federal Reporters, Inc. I am the video 09:05:51  
21 operator, Larry Flowers, also with Ace-Federal, 555  
22 12th Street, Northwest, Washington, D.C.

1 Will all counsel identify themselves and  
2 who they represent.

3 MS. GREB: Emily Greb of Perkins Coie on  
4 behalf of Petitioner Mylan Pharmaceuticals, Inc.

5 MS. SOMMERS: Erin Sommers from Finnegan 09:06:12  
6 on behalf of Patent Owner Biogen. And with me today  
7 is also Mark Feldstein and Laura Masurovsky of  
8 Finnegan and Carol Loeschorn of Biogen.

9 Whereupon,

10 RICHARD C. BRUNDAGE 09:06:32

11 was called as a witness and, having first been duly  
12 sworn, was examined and testified as follows:

13 EXAMINATION

14 BY MS. GREB:

15 Q Good morning, Dr. Brundage. 09:06:35

16 A Good morning.

17 Q Thank you for your time today. Can you  
18 just please start by stating and spelling your name  
19 for the record.

20 A Stating my name, it's Richard Clyde 09:06:43  
21 Brundage, spelled B-r-u-n-d-a-g-e.

22 Q And you've been deposed before; is that

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