

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MYLAN PHARMACEUTICALS INC.  
and PFIZER INC.,  
Petitioners,

v.

SANOFI-AVENTIS DEUTSCHLAND GMBH,  
Patent Owner.

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Case IPR2018-01675  
Patent No. 8,603,044

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**MYLAN PHARMACEUTICALS INC.**  
**OBJECTIONS TO EVIDENCE**  
37 CFR §42.64(b)(1)

## I. OBJECTIONS

Petitioner (“Mylan”) submits the following objections:

### 1. EX2223 – DCA web page

Grounds for objection: FRE 105, 402, 403, 802, 901.

EX2223 is irrelevant because it is not cited. The exhibit is hearsay without exception, lacks authentication, and is unreasonably prejudicial because it is cited for a new purpose and is just self-serving advertisement by an interested entity. To the extent EX2223 is admitted, its scope should be restricted to the purpose for which it was originally submitted. FRE 105.

### 2. EX2224 – tandfonline.com web page

Grounds for objection: FRE 105, 402, 403, 802, 901.

EX2224 is irrelevant because it is not cited. The exhibit is hearsay without exception, lacks authentication, and is unreasonably prejudicial because it is cited for a new purpose. To the extent EX2224 is admitted, its scope should be restricted to the purpose for which it was originally submitted. FRE 105.

### 3. EX2225 – Excerpt from Trial Transcript. Sanofi v. Merck, 16cv812 (RGA) (District of Delaware) (May 29, 2018)

Grounds for objection: FRE 105, 402, 403, 802.

EX2225 is irrelevant because it is not cited. Moreover, the exhibit is hearsay without exception and is prejudicial due to its late and unexplained introduction. To the extent EX2225 is admitted, its scope should be restricted to the purpose for which it was originally submitted. FRE 105.

**4. EX2319 – Declaration of Robert Veasey**

Grounds for objection: FRE 402, 403, 802.

EX2319 is irrelevant because it is not cited. It is also prejudicial because it was belatedly submitted for a new purpose. It is also hearsay without exception.

To the extent EX2319 is admitted, its scope should be restricted to the purpose for which it was originally submitted. FRE 105.

Respectfully submitted,

Dated: 6 November 2019

/ Richard Torczon /  
Richard Torczon, Reg. No. 34,448

CERTIFICATE OF SERVICE

Today a correct copy of **Mylan Pharmaceuticals Inc. Objections to**

**Evidence** was served on Sanofi via email as follows:

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Respectfully submitted,

Dated: 6 November 2019

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