

1 Henry Grabowski, Ph.D.

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

4 MYLAN PHARMACEUTICALS,  
5 INC.,

6 Petitioner,

7 vs.

8 SANOFI-AVENTIS DEUTSCHLAND  
9 GMBH,

10 Patent Owner.

11  
12  
13 Deposition of Henry Grabowski, Ph.D.

14 Thursday, September 5, 2019

15 At 9:12 a.m.

16 Durham, North Carolina

17  
18  
19 Reported by LeShaunda Cass-Byrd, CSR, RPR

20 TSG Job No: 166997

21

22

23

24

25

1 Henry Grabowski, Ph.D.

2 APPEARANCES OF COUNSEL:

3 On behalf of Petitioner Mylan:

4 JAD MILLS, Esq.  
5 WESLEY DERRYBERRY, Esq.  
Wilson Sonsini Goodrich & Rosati  
6 1700 K Street NW  
7 Washington, DC 20006

8 On behalf of Sanofi:

9 ROBERT VLASIS, Esq.  
10 Weil Gotshal & Manges.  
2001 M Street, N.W.  
11 Washington, DC 20036.

12 On behalf of Petitioner Pfizer:

13 DAN HOANG, Esq.  
14 Winston & Strawn  
35 W. Wacker Drive  
15 Chicago, Illinois 60601  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Henry Grabowski, Ph.D.

EXAMINATION OF HENRY GRABOWSKI, Ph.D.

By Mr. Mills	4
By Mr. Vlasis	145
By Mr. Mills	146

DEPOSITION EXHIBITS

EXHIBIT	DESCRIPTION	PAGE
	(No new exhibits were marked)	

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1 Henry Grabowski, Ph.D.

2 HENRY GRABOWSKI, Ph.D.

3 having been first duly sworn, was examined and  
4 testified as follows:

5 EXAMINATION

6 BY MR. MILLS:

7 Q. Good morning, Dr. Grabowski.

8 A. Good morning.

9 Q. How are you doing?

10 A. Fine.

11 Q. There has been a lot of talk about a  
12 hurricane today. Notwithstanding the hurricane, is  
13 everything good to go on your end to proceed with the  
14 deposition?

15 A. Yes.

16 Q. You have been deposed before, correct?

17 A. Yes.

18 Q. How recently was your last deposition?

19 A. About three months ago.

20 Q. Do you recall the rules that apply in a  
21 deposition?

22 A. Yes.

23 Q. So I won't go through all of them because  
24 you know them already. But in general, we want to  
25 make sure that we won't speak over one another.

1 Henry Grabowski, Ph.D.

2 A. Yes.

3 Q. Okay. If you don't understand any question  
4 that I am asking you, you will ask for clarification,  
5 correct?

6 A. Yes.

7 Q. If you don't ask for clarification, we can  
8 all assume that you understood the question, correct?

9 A. Yes.

10 Q. Is there any reason you can't give your  
11 best and most accurate testimony today?

12 A. No.

13 Q. There is no medication or other issue that  
14 would impair your testimony today?

15 A. No.

16 Q. How many times have you been deposed?

17 A. Well, over 4 decades it might be 40 times.

18 Q. Have you ever been deposed in an inter  
19 partes review before?

20 A. Yes.

21 Q. How many times?

22 A. I think a few times.

23 Q. Have you ever been deposed in a matter  
24 involving injectable insulin products before?

25 A. No. Well, yes. But not at an IPR.

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.