

EXHIBIT C

**DEFENDANTS' INVALIDITY CONTENTIONS CLAIM CHART FOR U.S. PATENT NO. 8**

The below chart provides examples of prior art that establish that the asserted claims of the '044 Patent are rendered obvious over the prior art. This case is in the early stages, with most discovery still upcoming, and the discovery is still eight months away. The Court has not construed any claims, and expert reports are not due until the Court's claim construction order. Further, Plaintiffs have only recently disclosed their validity and infringement contentions and seek leave to amend their contentions in the future. As a result, Defendant reserves the right to supplement and/or amend in response to positions taken by Plaintiffs with additional selections from the cited prior art, as well as with additional references. Defendant also incorporates by reference the accompanying Invalidity Contentions with respect to the obviousness of the other patents in suit, including the prior art descriptions and citations, exemplary prior art combinations, obviousness rationales and motivations to combine, and commentary on potential objective indicia of nonobviousness therein. Additionally, Defendant incorporates by reference the arguments made in the accompanying Invalidity Contentions with respect to the invalidity of certain of the following claim limitations under 35 U.S.C. §§ 101, 102, 103, and 112.

Claims	Disclosures anticipating and/or rendering the claims obvious
11. A housing part for a medication dispensing apparatus, said housing part comprising:	<p>To the extent the preamble of the independent claims are found to be limiting, the following prior art references establish that this claim limitation is taught by the prior art. Additionally, the claim limitation would have been obvious in view of the prior art (including the following references and combinations) and the knowledge of the person having ordinary skill in the art.</p> <p>For example:</p> <p><b>Judson</b></p> <p>Referencing Figures 1 and 2, Judson discloses, “a medication apparatus including a housing.” Judson, pg. 19.</p> <p>Judson further discloses that, “[w]ith additional reference to Figs. 3-7, <b>pen proximal portion 2 includes an external, protective housing 60</b>, an axially advanceable drive member 62, a gear designated 64, and a plunging member 66.” Judson, pg. 9, ll. 29-31 (emphasis added); <i>see e.g.</i></p>

Claims

Disclosures anticipating and/or rendering the claims obvious

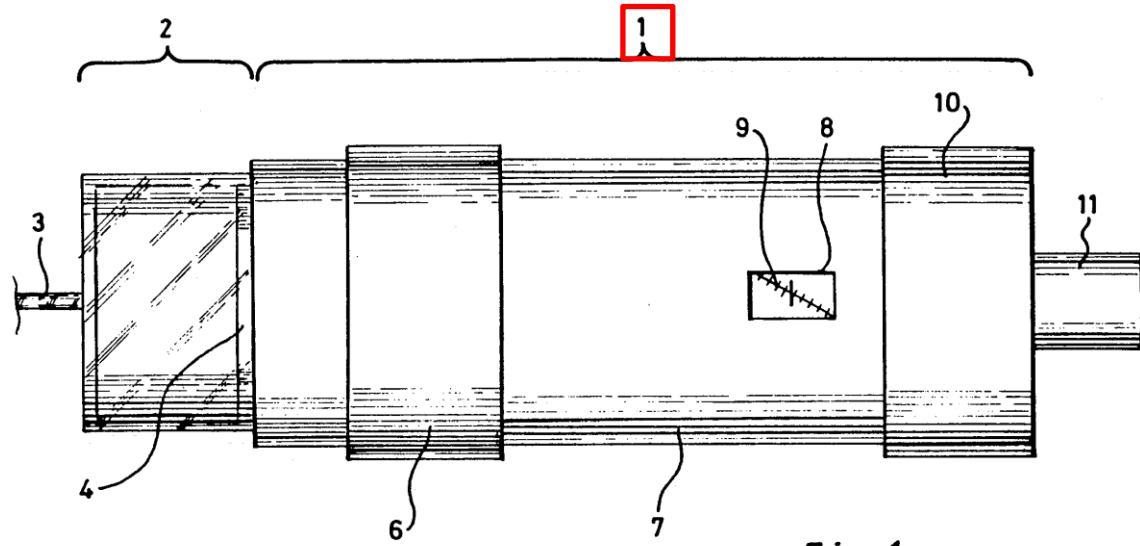


Fig. 1

**Steenfeldt-Jensen<sup>4</sup>**

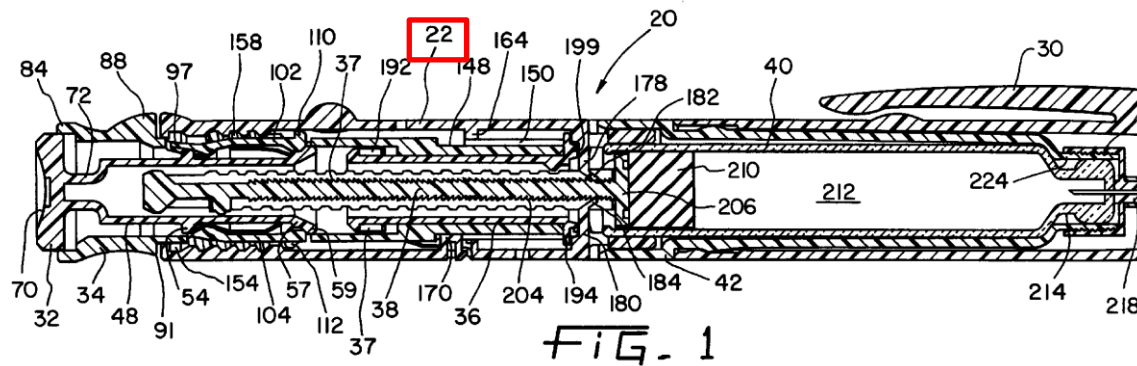
Steenfeldt-Jensen discloses, “[t]he present invention provides an injection syringe **comprises** holder for containing a cartridge of medicine, a piston rod with a non-circular cross-section ha a piston rod drive, a one way coupling having an annular ring of internal ratchet notches, whic integral with the housing, and a pawl having at least a pair of resilient arms each having a free Jensen, at Abstract.

<sup>4</sup> All citations to Steenfeldt-Jensen within these invalidity contentions apply equally to the disclosures present 6,004,297 to Steenfeldt-Jensen et al., which provides for a substantially similar disclosure.

Claims	Disclosures anticipating and/or rendering the claims obvious
	<p data-bbox="431 680 1624 751">Steenfeldt-Jensen further discloses, “[t]he syringe comprise a tubular housing 1.” Steenfeldt-Jensen, <i>see also</i> Steenfeldt-Jensen, Figs. 16-17.</p> <div data-bbox="472 781 1624 1325"> <p data-bbox="472 781 516 1010"><b>FIG 16</b></p> <p data-bbox="472 1100 516 1325"><b>FIG 17</b></p> </div> <p data-bbox="431 1415 578 1446"><b>Burroughs</b></p> <p data-bbox="431 1486 1624 1667">Burroughs discloses “[a] multi-use <b>medication dispensing pen</b> made of a plastic material that the contents of the medication cartridge have been exhausted. The pen is made of a minimal number of parts and include <b>a housing</b>, a dial mechanism, a generally cylindrical button assembly located within the dial mechanism, an internally threaded nut, and an externally threaded leadscrew.” Burroughs (emphasis added).</p> <p data-bbox="431 1707 1624 1812">Burroughs further discloses, “[r]eferring to FIGS. 1 and 2, there is shown an injection medication pen having the general appearance of a pen or mechanical pencil. The device comprises a mechanism housing part 24 and a second part 26 (FIG. 2).” Burroughs, col. 7, ll. 14-18; <i>see also</i> Fig. 1.</p>

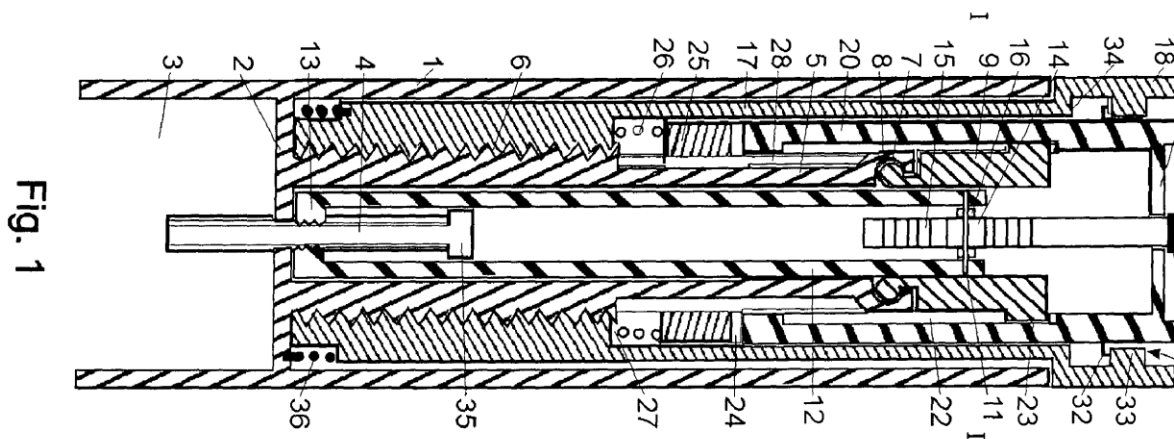
Claims

Disclosures anticipating and/or rendering the claims obvious



Moller

Moller discloses, “[a]n injection of set doses of medicine from a cartridge.” Moller, at Abstract discloses, “[i]n the device shown in FIG. 1 an elongated cylindrical housing 1 has a partition 22 that divides the housing in a compartment containing a dose setting mechanism and a compartment for the accommodation of a not shown ampoule.” Moller, col. 3, ll. 42-46 (emphasis added); *see also*



Claims	Disclosures anticipating and/or rendering the claims obvious
	<p>Sams '591 discloses, “[w]here such a housing is used, the needle end of the cartridge can project through an aperture in the housing or that end of the housing can be closed and can carry a needle or other member therewith which projects axially inwardly into the housing to penetrate the membrane at the end thereof.” Sams '591, col. 4, ll. 36-41.</p> <p><b>Burroughs</b></p> <p>Burroughs discloses, “[t]he present invention, in one form thereof, provides <b>a medication injection pen having a distal end and a proximal end</b>. The pen comprises <b>a housing</b>, a cartridge, a drive stem, a rotatable drive mechanism.” Burroughs, col. 4, ll. 43-46 (emphasis added).</p> <p>Burroughs further discloses, “[r]eferring to FIGS. 1 and 2, there is shown an injection medication delivery device having the general appearance of a pen or mechanical pencil. The device comprises <b>a mechanism housing</b> including a first part 24 and a second part 26 (FIG. 2).” Burroughs, col. 7, ll. 14-18 (emphasis added). See also Burroughs, FIG. 1 (element 22).</p> <p><b>Moller</b></p> <p>Moller discloses, “[a]n injection of set doses of medicine from a cartridge.” Moller, at Abstract. Moller further discloses, “[i]n the device shown in FIG. 1 <b>an elongated cylindrical housing 1</b> has a partition 2 which divides the housing in a compartment containing a dose setting mechanism and a compartment for the accommodation of a not shown ampoule.” Moller, col. 3, ll. 42-46 (emphasis added); <i>see also</i> Moller, FIG. 1 (showing housing 1 extending from a distal end to a proximal end).</p> <p>Moller further discloses, “a dose setting drum which can be screwed outward in the housing a distance of a second pitch to lift an injection button with it up the proximal end of the housing.” Moller, col. 3, ll. 42-46; <i>also</i> Moller, Figs. 1 (element 1) and 5 (element 101).</p> <p><b>Giambattista '095</b></p> <p>Giambattista '095 discloses a medication delivery pen 10 including, “<b>a body 5 having a distal end</b> and a proximal end.” Giambattista '095, col. 1, ll. 1-2 (emphasis added).</p>

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