2	BEFORE THE PATENT TRIAL AND APPEAL BOARD
3	
4	MYLAN PHARMACEUTICALS INC.,
5	Petitioner,
6	v.
7	SANOFI-AVENTIS DEUTSCHLAND GMBH,
8	Patent Owner.
9	
10	Case IPR2018-01675
11	Case IPR2018-01676
12	Case IPR2018-01678
13	Case IPR2018-01680
14	
15	VOLUME II
16	VIDEO DEPOSITION OF KARL R. LEINSING, MSME, PE
17	Portsmouth, New Hampshire
18	Tuesday, June 4, 2019
19	
20	
21	
22	Reported by:
23	Dana Welch, CSR, RPR, CRR, CRC
24	Job #86101
25	
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Sanofi Exhibit 2164.001

3		3	FISH & RICHARDSON	
4			BY: JOHN S. GOETZ, ESQ.	
5	June 4, 2019		601 Lexington Avenue, 52nd Floor	
6	8:57 a.m.		New York, NY 10022-4611	
7		7	goetz@fr.com	
8		8	5	
9	Deposition of KARL R. LEINSING, MSME, PE,	9	For the Petitioner:	
10	held at Hampton Inn & Suites Portsmouth Downtown,	10	WILSON SONSINI GOODRICH & F	ROSATI
11	23 Portwalk Place, Portsmouth, New Hampshire 03801,	11	BY: RICHARD TORCZON, ESQ.	
12	before Dana Welch, Licensed Shorthand Reporter	12	WESLEY E. DERRYBERRY, ESQ.	
13	(NH#118), Registered Professional Reporter,	13	1700 K Street NW, Fifth Floor	
14	Certified Realtime Reporter and Notary Public of	14	Washington, DC 20006	
15	the State of New Hampshire.	15	rtorczon@wsgr.com	
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17		17	and	
18			WILSON SONSINI GOODRICH & F	ROSATI
19		19	BY: NATHANIEL SHARN, ESQ.	
20		20	12235 El Camino Real	
21		21	San Diego, CA 92130	
22			nscharn@wsgr.com	
23		23		
24		24	Also Present: Matthew Greinert (Myl	· ·
25		25	Jovial Wong, Esq., Winston	& Strawn
	Page 210			Page 212
1	APPEARANCES:	1	I N D E X	
2	For the Patent Owner:	2	WITNESS:	
3	WEIL, GOTSHAL & MANGES	3	KARL R. LEINSING, MSME, PE	
4	BY: SUTTON ANSLEY, ESQ.	4		
5	MATTHEW D. SIEGER, ESQ.	5	EXAMINATION:	PAGE:
6	2001 M Street, NW, Suite 600	6	BY MR. ANSLEY	214
7	Washington, DC 20036	7	BY MR. COLVIN	240
8	sutton.ansley@weil.com	8	BY MR. GOETZ	306
9	matthew.sieger@weil.com	9	EXHIBITS MARKED:	
10	and	10	NO. DESCRIPTION	PAGE:
11	SUDIP KUNDU, ESQ.	11	Exhibit 2104, Figure 5, Mylan Exhibi	t 252
12	767 Fifth Avenue	12	1003, U.S. Patent 8,992,486	
13	New York, New York 10153	13	Exhibit 2105, Handwritten drawing	254
14	sudip.kundu@weil.com	14	Exhibit 2106, Sheet 9 of 9, August 23	·
15		15	2005, U.S. 6,932,794, Mylan Exhibit	1016
16	For the Patent Owner:	16		
17	FISH & RICHARDSON	17	EXHIBITS PREVIOUSLY MARKED	
	BY: MATTHEW COLVIN, ESQ.	18	Exhibit 1003, U.S. Patent 8,992,486	241
19	1717 Main Street, Suite 5000	19	Exhibit 1005, U.S. Patent 9,604,008	338
20	Dallas, TX 75201	20	Exhibit 1012, Curriculum Vitae Karl	R. 384
21	colvin@fr.com	21	Leinsing, MSME, PE	226
22		22	Exhibit 1013, U.S. Patent 6,221,046	236
23		23	Exhibit 1014, U.S. Patent 6,235,004 -	220
24 25	appearances continue	24	Steenfeldt-Jensen	
25		25	index continues	
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3	Exhibit 1015, U.S. Patent Application 23	4	3	Q. Okay.
4	2002/0052578		4	A. I don't recall exactly.
5	Exhibit 1016, U.S. Patent 6,932,794 33:	5	5	Q. And did you review them by yourself or
6	Exhibit 1017, U.S. Patent 6,582,404 300	5	6	with others present?
7			7	A. By myself.
8	NOTATIONS:		8	Q. Okay. And when you said you reviewed the
9	Time marked by Mr. Goetz: 4:40 p.m. 3	53	9	prior art, you're referring to the one of the
10			10	Burroughs, Steenfeldt-Jensen, Möller, Klitgaard, or
11			11	Giambattista references, correct?
12			12	A. Correct.
13			13	Q. Okay. And when you refer to the exhibits
14			14	in your declaration, are there what exhibits
15			15	from pages 471 to 473 did you review?
16			16	A. All of them.
17			17	Q. You re-reviewed all of Exhibits 1001
18			18	through 1034; is that correct?
19			19	A. Yes, except the file histories. I at
20			20	least opened up every single file and just reviewed
21			21	it.
22			22	Q. Okay. During the breaks yesterday, did
23			23	you have any discussions with counsel about the
24			24	substance of your testimony?
25			25	A. No.
	Page 2	14		Page 216
1	PROCEEDINGS		1	Q. Okay. And after the testimony concluded
2	KARL R. LEINSING, MSME, PE		2	yesterday evening, did you have any discussions
3	having been previously sworn on oath,		3	with counsel and until this morning, did you
4	continued to testify as follows:		4	have any discussions with counsel about the
5	EXAMINATION		5	substance of your testimony?
6	BY MR. ANSLEY:		6	A. No.
7	Q. We can go on.		7	Q. All right. I'd like to refer you to a
8	Good morning.		8	portion of your declaration beginning on paragraph
9	A. Good morning.		9	258.
10	Q. Welcome back, Mr. Leinsing.		10	A. Did you say page 258?
11	A. Leinsing.		11	Q. Paragraph 258. Let me know when you're
12	Q. Leinsing?		12	there.
13	A. Line (phonetic), like stein, Leinsing.		13	A. I'm there.
14	Q. Oh, I'm sorry. I hope I haven't been		14	Q. Okay. And in this section that begins
15	saying that incorrectly the entire time.		15	with paragraph 258, and continues, I believe,
16	Leinsing.		16	through paragraph 338, you provide your opinion
17	After the deposition ended for the day		17	that the challenged claims of the '069, '044, and
18	yesterday, did you do anything to prepare for your		18	'486 patent are obvious over Steenfeldt-Jensen; is
19	testimony today?		19	that correct?
20	A. Yes.		20	MR. TORCZON: Objection, form.
0.1	Q. What did you do?		21	A. We should probably do the table of
21	Q: Think and you do:		22	
21	A. I just reviewed some of the exhibits on my		22	contents, like you were asking me yesterday.
			23	Q. Okay.
22	A. I just reviewed some of the exhibits on my			
22 23	A. I just reviewed some of the exhibits on my declaration and reviewed the prior art references,	ing	23	Q. Okay.

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4 the declaration, or at least to page 422 or, 4 Q. Okay. And are all the reasens in support 5 antally, it goes all the way yeah, pretty much 5 of these opinions included in your declaration? 7 Q. So for your opinion that, for example, the 6 of these opinions included in your declaration? 8 009 patent is obvious over - 9 obvious to modify Steenfeldt-Jensen's fifth 10 Q. For your opinion that the section 12 acomponent called member 40 with a slotted or 12 Steenfeldt-Jensen, you believe that the section 12 acomponent called member 40 with a slotted or 12 regard? 14 A. Where are your reading from? 15 14 regard? 14 A. Where are your reading from? 15 15 to my analysis. 17 A. Can you repeat that question? 16 16 wast so clear. Let me try again. 16 obvious to modify Steenfeldt-Jensen's fifth 16 Q. So en page 155, at the very top there, 20 Now are you reading from? 22 17 A. Bra and B-19 are obvious over 22 Corunal y called member 40 with a slotted or 16 Joussen to called driver <th>3</th> <th>And then page 155 and pretty close to the end of</th> <th>3</th> <th>A. No. Everything's in my declaration.</th>	3	And then page 155 and pretty close to the end of	3	A. No. Everything's in my declaration.
 actually, it goes all the way yeah, pretty much othe end. othe end. O. So for your opinion that, for example, the O'69 patent is obvious over Q. Now, it's your opinion that a person of ordinary skill in the art would have found it obvious to modify Steenfeldt-Jensen's fifth obvious to modify Steenfeldt-Jensen's fifth component called member 40 with a slotted or analysis. A. No. That would just be the '844. I analysis. A. No. That would just be the '844. I beginning on page 347 includes opinions in that thought you meant where I applied Steenfeldt-Jensen to my analysis. Q. Now meant where I applied Steenfeldt-Jensen to my analysis. Q. No sour opinion it is obvious over a. No. That would just be the '844. I d. No. NNE.FY: Okay. Maybe my question warst so clear. Let me try again. under subheding B. you identify for the '['009'] Ground 2: Claim I is obvious over steenfeldt-Jensen.' The declaration speaks for itself. But and for the ['486-A2] Ground 1: Claims 11, A. It's not to swap. I applied Steenfeldt-Jensen.'' A. It's not to swap. I don't know if you analy sis, which would include the claim whave in support of these grounds, are theo grinons that the actiration speaks for itself. But A. The declaration speaks for itself. But analy sis, which would include the claim support of these grounds are then aprices in the down of your proposed analy sis, which would include the claim support of these grounds included in this support of these grounds included in this support of these grounds include in thi	4		4	
9 Q. So for your opinion that, for example, the 7 Q. Now, it's your opinion that a person of 9 '069 patent is obvious over	5		5	
a 069 patent is obvious over a ordinary skill in the art would have found it y MR. ANSLEY: I'm sorry. a ordinary skill in the art would have found it a Corry our opinions that the challenged a omponent called member 40 with a slotted or 11 claims of the '069 patent are obvious over 11 a component called member 40 with a slotted or 12 Steenfeld-Jensen, you believe that the section 11 a component called member 40 with a slotted or 13 beginning on page 347 includes opinions in that it the start syour opinion is art that correct? 14 regard? 14 A. Where are you reading from? 15 A. No any urepeat that question? 14 16 thought you meant where 1 applied Steenfeld-Jensen 16 ordinary skill in the art would have found it 17 to my analysis. mR any sub car. Let me try again. 19 ordinary skill in the art would have found it 12 g. Son page 155, at the very top there. 10 ordinary skill in the art would have found it 12 Ground 2: Claim 1 is obvious over 22 moder the '16069 23 13 under subheating B., you identify for the '10691 23	6	to the end.	6	A. Yes.
9 MR, ANSLEY: I'm sorry. 9 obvious to modify Steenfeldt-Jensen's fifth 10 Q. For your opinions that the challenged 10 embodiment to swap the threaded circular opening of 12 Steenfeldt-Jensen, you believe that the section 12 a component called member 40 with a slotted or 12 Steenfeldt-Jensen, you believe that the section 12 non-circular opening of a component called driver 13 beginning on page 347 includes opinions in that 13 Were are you reading from? 14 regard? A. Where are you reading from? 14 15 A. No. That would just be the '844. I 15 Q. Nowhere in particular, but it's - I 16 thought you meant where I applied Steenfeldt-Jensen 16 Very opur opinion, isn't that torreet? 16 under subheading B., you identify for the "[069] ortimary skill in the art would have found it obvious tor opding of a component called member 40 with a slotted or 12 Steenfeldt-Jensen." 14 15 A. If's not to swap therade circular opening of a component called member 40 with a slotted or 12 rormade I heids, is that correet? 10 non-circular opening of a component. If's not to swap there the 14 H-15, and 18-19 are ob	7	Q. So for your opinion that, for example, the	7	Q. Now, it's your opinion that a person of
9 MR, ANSLEY: I'm sorry. 9 obvious to modify Steenfeldt-Jensen's fifth 10 Q. For your opinions that the challenged 10 embodiment to swap the threaded circular opening of 12 Steenfeldt-Jensen, you believe that the section 12 a component called member 40 with a slotted or 12 Steenfeldt-Jensen, you believe that the section 12 non-circular opening of a component called driver 13 beginning on page 347 includes opinions in that 13 Were are you reading from? 14 regard? A. Where are you reading from? 14 15 A. No. That would just be the '844. I 15 Q. Nowhere in particular, but it's - I 16 thought you meant where I applied Steenfeldt-Jensen 16 Very opur opinion, isn't that torreet? 16 under subheading B., you identify for the "[069] ortimary skill in the art would have found it obvious tor opding of a component called member 40 with a slotted or 12 Steenfeldt-Jensen." 14 15 A. If's not to swap therade circular opening of a component called member 40 with a slotted or 12 rormade I heids, is that correet? 10 non-circular opening of a component. If's not to swap there the 14 H-15, and 18-19 are ob	8		8	
10 Q. For your opinions that the challenged 10 embodiment to swap the threaded circular opening of 11 claims of the '069 patent are obvious over 11 a component called member 40 with a slotted or 12 Steenfeldt-Jensen, you believe that the section 12 non-circular opening of a component called driver 13 beginning on page 347 includes opinions in that 14 regard? 14 A. Where are you reading from? 14 tagard? 14 A. Where in particular, but it's1 16 believe that's your opinion, isn't that correct? 14 to my analysis. 17 A. Can you repeat that question? 18 Q. It's your opinion that a person of 14 under subheading B., you identify for the "[069] 14 component called member 40 with a slotted or 15 Steenfeldt-Jensen, "O44-B] Ground 1: Claims 11, 24 component called member 40 with a slotted or 16 And for the ['486-A2] Ground 1: Claims 11, 24 A. It's not to swap. I don't know if you 21 And for the ['486-A2] Ground 1: Claims 14, 14 A. It's not to swap. I don't know if you 22 Feenfeldt-Jensen, "O44-B] Ground 1: Claims 14, 14 A. It's not to swap. I don't know if you	9	*	9	-
11 claims of the '069 patent are obvious over 11 a component called member 40 with a slotted or 12 Steenfeldt-Jensen, you believe that the section 11 a component called member 40 with a slotted or 13 Beginning on page 347 includes opinions in that 12 non-circular opening of a component called driver 14 regard? 12 A. No. That would just be the '844. I 13 G. Nowhere in particular, but it's = 1 15 A. No. That would just be the '844. I 14 15 Q. Nowhere in particular, but it's = 1 16 thought you meant where I applied Steenfeldt-Jensen 14 A. Where are you reading from? 17 to my analysis. 17 A. Can you repeat that question? 14 17 to my analysis. 13 ordinary skill in the at versuo of 14 12 under subheading B., you identify for the ''[069] 21 embodiment to swap threaded circular opening of a component called driver 14 14-15, and 18-19 are obvious over 25 ibeenfeldt-Jensen.'' 24 tube S5, is that correct? 25 Steenfeldt-Jensen.'' 25 M. To RCZON: Objection, form. Page 220 26 And for the ['486-A2] Ground 1: Cl	10	-	10	•
12 Steenfeldt-Jensen, you believe that the section 12 non-arreular opening of a component called driver 13 beginning on page 347 includes opinions in that 13 tube 85; is that fair? 14 regard? 14 A. Where are you rending from? 15 A. No. That would just be the '844. I 15 Q. Nowthere in particular, but it's I 16 thought you meant where I applied Steenfeldt-Jensen 14 A. Where are you rending from? 17 to my analysis. 14 A. Where are you repath that question? 19 Wasn't so clear. Let me try again. 19 Ok low page 155, at the very top there, 20 20 Ground 2: Claim 1 is obvious over 21 embrowing of a component called driver 23 Steenfeldt-Jensen." 22 component called member 40 with a slotted or 23 Steenfeldt-Jensen." 24 tube 85; is that correct? 25 24 14-15, and 18-19 are obvious over 24 tube 85; and the messare in a stop or form. 24 24 14-15, and 18-19 are obvious over 25 Steenfeldt-Jensen." Page 220 1 1 And for the ['486-A2] Ground 1: Claims 1, 2	11		11	
13 beginning on page 347 includes opinions in that 13 tube 85; is that fair? 14 regard? 14 A. Where are you reading from? 15 A. No. That would just be the '844. I 15 Q. Nowhere in particular, but it's -1 16 thought you meant where I applied Steenfeldt-Jensen; 14 A. Can you repeat that question? 18 MR. ANSLEY: Okay. Maybe my question 14 6 believe that's your opinion, isn't that correct? 19 waart too clear. Let me try again. 19 ordinary skill in the art would have found it 20 Roound 2: Claim 1 is obvious over 22 obvious to modify Steenfeldt-Jensen; fifth 21 under subheading B., you identify for the "['069] 22 component called member 40 with a slotted or 23 Steenfeldt-Jensen," 24 tube 85; is that correct? 25 24 14-15, and 18-19 are obvious over 25 MR. TORCZON: Objection, form. 25 Steenfeldt-Jensen," 4 A. If's not to swap. I don't know if you 24 1-6, 12-18, 20, 23, 27-30, 32-33, 36, 38-40 are 2 said swap the entire component. It's not to swap 2 1-6, 12-18, 20, 23, 27-30, 32-33, 36, 38-40 are 2 sa	12	1	12	-
14 regard? 14 A. Where are you reading from? 15 A. No. That would just be the '844. I 15 Q. Nowhere in particular, but it's - I 15 thought you meant where I applied Steenfeldt-Jensen 15 A. Can you repeat that question? 18 MR. ANSLEY: Okay, Maybe my question 18 Q. It's your opinion that a person of 19 wasn't so clear. Let me try again. 20 Steenfeldt-Jensen,'' 14 21 under subheading B., you identify for the "['069] 21 embodiment to swap threaded circular opening of a component called member 40 with a slotted or 23 Steenfeldt-Jensen.'' 22 component called member 40 with a slotted or 24 14-15, and 18-19 are obvious over 24 tube 85; is that correct? 25 Steenfeldt-Jensen.'' Page 218 Page 220 1 And for the ['486-A2] Ground 1: Claims 1 4 Alt's not to swap. I don't know if you 3 obvious over Steenfeldt-Jensen.'' 3 add westion is, are the opinions that 4 And ny question is, are the opinions that 5 said swap the entire component. If's to swap where the 4 And my questin is sport of these grounds, are they add swap the	13		13	
15 A. No. That would just be the '844. 1 15 Q. Nowhere in particular, but it's 1 16 thought you meant where I applied Steenfeldt-Jensen 16 believe that's your oppioni, isn't that correct? 17 to my analysis. 17 A. Can you repeat that question? 18 A. Can you repeat that question? 19 wasn't so clear. Let me try again. 20 It's your oppioni, isn't that correct? 20 Co on page 155, at the very top there, 20 ordinary skill in the art would have found it 20 Ground 2: Claim 1 is obvious over 21 embodiment to swap threaded circular opening of a 21 decomponent called member 40 with a slotted or 23 non-circular opening of a component called driver 24 14-15, and 18-19 are obvious over 24 tube 85, is that correct? 25 25 Steenfeldt-Jensen." MR. TORCZON: Objection, form. 2 2 And for the ['486-A2] Ground 1: Claims 1 A. It's not to swap. I don't know if you 3 obvious over Steenfeldt-Jensen." 4 A. It's not to swap. I don't know if you 3 accurately described in this section which includes 5 8, and then the slot in 85 to be put into 40 of <	14		14	
16 thought you meant where I applied Steenfeldt-Jensen 16 believe that's your opinion; isn't that correct? 17 to my analysis. 17 A. Can you repeat that question? 18 MR. ANSLEY: Okay. Maybe my question 19 Q. It's your opinion that a person of 19 wasn't so clear. Let me try again. 19 Olinary skill in the art would have found it 20 Q. So on page 155, at the very top there, 20 obvious to modify Steenfeldt-Jensen's fifth 21 under subheading B., you identify for the "['069] 22 component called member 40 with a slotted or 23 Steenfeldt-Jensen, " 24 component called member 40 with a slotted or 24 14-15, and 18-19 are obvious over 25 MR. TORCZON: Objection, form. 25 Steenfeldt-Jensen." 25 Page 220 1 And for the ['486-A2] Ground 1: Claims 1 A. It's not to swap. I don't know if you 3 obvious over Steenfeldt-Jensen." 3 said swap the entire component. It's to swap where the 4 And my question is, are the opinions that 5 so, and I'm looking at Figure 17. 4 And my question spacks for itself. But hat m the declaration spacks for itself. B	15	-	15	
17 to my analysis. 17 A. Can you repeat that question? 18 MR. ANSLEY: Okay. Maybe my question 19 Q. It's your opinion that a person of 19 wasn't so clear. Let me try again. 10 ordinary skill in the art would have found it 20 Q. So on page 155, at the very top there, 10 ordinary skill in the art would have found it 21 under subheading B., you identify for the "['069] 22 oround 2: Claim 1 is obvious over 22 23 Steenfeldt-Jensen; ['044-B] Ground 1: Claims 11, 24 tube 85; is that correct? 25 25 Steenfeldt-Jensen." Page 218 Page 220 1 And for the ['486-A2] Ground 1: Claims 1 A. It's not to swap. I don't know if you 2 1-6, 12-18, 20, 23, 27-30, 32-33, 36, 38-40 are 36 swap the entire component. It's not to swap 3 obvious ver Steenfeldt-Jensen." 2 said swap the entire component. It's not to swap 3 A. The declaration speaks for itself. But 4 thereads are located within 40 and to locate them in 5 scaurately described in this section for that particular 9 And I'm looking at Figure 17. 6 Q. Okay. I see, yeah. 9	16	-	16	
18 MR. ANSLEY: Okay. Maybe my question 13 Q. It's your opinion that a person of 19 wasn't so clear. Let me try again. 14 Q. So on page 155, at the very top there, 15 11 under subheading B, you identify for the "['069] 22 component called member 40 with a slotted or 23 Steenfeldt-Jensen; ['044-B] Ground 1: Claims 11, 24 14-15, and 18-19 are obvious over 24 24 14-15, and 18-19 are obvious over 24 tube 85; is that correct? 25 25 Steenfeldt-Jensen." Page 218 Page 220 1 And for the ['486-A2] Ground 1: Claims 11, 2 said swap the entire component. It's not to swap a obvious over Steenfeldt-Jensen." Page 220 2 1-6, 12-18, 20, 23, 27-30, 32-33, 36, 38-40 are a obvious over Steenfeldt-Jensen." 1 A. It's not to swap. I don't know if you as aid swap the entire component. It's not to swap a the entire component. It's not to swap to obvious over steenfeldt-Jensen." 2 said swap the entire component. It's not to swap a the ast is to be put into 40 of 5 3 paragraphs 258 through 338? 7 And thar the steet of your proposed and that would be the section for that particular 9 And thar is the exet of	17		17	
19 wasn't so clear. Let me try again. 19 ordinary skill in the art would have found it 20 Q. So on page 155, at the very top there, 20 21 under subheading B., you identify for the "[069] 22 22 Ground 2: Claim 1 is obvious over 22 23 Steenfeldt-Jensen, "[044-B] Ground 1: Claims 11, 23 24 14-15, and 18-19 are obvious over 23 25 Steenfeldt-Jensen, " 25 26 And for the ['486-A2] Ground 1: Claims 14, 24 3 obvious over Steenfeldt-Jensen." 25 26 And for the ['486-A2] Ground 1: Claims 14, 25 3 obvious over Steenfeldt-Jensen." 26 3 obvious over Steenfeldt-Jensen." 28 4 And for the ['486-A2] Ground 1: Claims 14, 14 5 you have in support of these grounds, are they 3 6 accurately described in this section which includes 7 7 paragraphs 258 through 338? 8 8 A. The declaration speaks for itself. But 9 9 that would be the section for that particular 9 1			18	
20 Q. So on page 155, at the very top there, 20 obvious to modify Steenfeldt-Jensen's fifth 21 under subheading B., you identify for the "[069] 22 component called member 40 with a slotted or 23 Steenfeldt-Jensen; ['044-B] Ground 1: Claims 11, 23 onn-circular opening of a component called driver 24 14-15, and 18-19 are obvious over 24 tube 85; is that correct? 25 Steenfeldt-Jensen." Page 218 1 And for the ['486-A2] Ground 1: Claims 1 A. It's not to swap. I don't know if you 2 2.3 (2.3, 2.7.30, 32-33, 36, 38-40 are 3 said swap the entire component. It's not to swap 3 obvious over Steenfeldt-Jensen." 1 A. It's not to swap. I don't know if you 2 accurately described in this section which includes said swap the entire component. It's not to swap 3 ther would be the section for that particular 5 85, and then the slot in 85 to be put into 40 of 4 And are all the opinions you have in 3 support of these grounds included in this 1 13 support of these grounds included in this 13 20 Okay. I see, yeah. 14 subsection B., the claim construction secti	19		19	
21 under subheading B., you identify for the "['069] 21 embodiment to swap threaded circular opening of a 22 Ground 2: Claim 1 is obvious over 23 steenfeldt-Jensen; ['044-B] Ground 1: Claims 11, 24 14-15, and 18-19 are obvious over 23 mon-circular opening of a component called driver 24 14-15, and 18-19 are obvious over 24 tube 85; is that correct? 25 25 Steenfeldt-Jensen." 26 MR. TORCZON: Objection, form. 2 1-6, 12-18, 20, 23, 27-30, 32-33, 36, 38-40 are 3 a dot for the ['486-A2] Ground 1: Claims 14 3 obvious over Steenfeldt-Jensen." 4 A. It's not to swap. I don't know if you 2 3 accurately described in this section which includes 5 said swap the entire component. It's to swap where the 4 4 And my question is, are the opinions that 5 5 add that is the exter of your proposed 6 accurately described in this section which includes 7 And I'm looking at Figure 17. 8 9 And that is the extent of your proposed 10 modification; is that correct? 11 10 analysis, which would include the claim 10 6	20		20	
22 Ground 2: Claim 1 is obvious over 22 component called member 40 with a slotted or 23 Steenfeldt-Jensen; ['044-B] Ground 1: Claims 11, 23 non-circular opening of a component called driver 24 14-15, and 18-19 are obvious over 24 tube 85; is that correct? 25 Steenfeldt-Jensen." 25 MR. TORCZON: Objection, form. 2 1. And for the ['486-A2] Ground 1: Claims 1 A. It's not to swap. I don't know if you 2 1. 4. It's not to swap. I don't know if you 2 said swap the entire component. It's not to swap 3 obvious over Steenfeldt-Jensen." 3 the entire component. It's to swap where the 4 And my question is, are the opinions that 5 staid swap the entire component. It's not to swap 4 And my question sis, are the opinions that 5 steenfeldt-Jensen, which is Exhibit 1014. 7 paragraphs 258 through 338? 7 A. The declaration speaks for itself. But 9 And that is the extent of your proposed 10 analysis, which would include the claim 10 modification; is that correct? 12 Q. And are all the opinions you have in 12 Q. Are there any benefits from making this	21		21	-
 23 Steenfeldt-Jensen; ['044-B] Ground 1: Claims 11, 24 14-15, and 18-19 are obvious over 25 Steenfeldt-Jensen." 26 And for the ['486-A2] Ground 1: Claims 21 -6, 12-18, 20, 23, 27-30, 32-33, 36, 38-40 are 3 obvious over Steenfeldt-Jensen." 4 And my question is, are the opinions that 5 you have in support of these grounds, are they 6 accurately described in this section which includes 7 paragraphs 258 through 338? 8 A. The declaration speaks for itself. But 9 that would be the section for that particular 10 analysis, which would include the claim 13 support of these grounds included in this 13 support of these grounds included in this 14 subsection B, the claim construction section, and 15 in the overview on page 71. 14 subsection B, the claim construction section, and 15 in the overview on page 71. 16 A. I made references to different sections of 17 my declaration, so I'm not sure if that has all of 18 it in that one section. I don't want to narrow it 19 to one section in the declaration. So the 10 ane section. I don't want to narrow it 12 Q. Do you have any opinions outside of this 23 and hen the ads in item 40 of Figure 17, then 24 obvious the challenged claims of the '069 patent, 25 lengthening of the threads in item 40 of Figure 17, then 26 Q. Do you have any opinions outside of this 27 A. If the loads were such that it was 28 acclaration that Steenfeldt-Jensen alone renders 24 obvious the challenged claims of the '069 patent, 	22		22	
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2^{5} the 044 patent and the 486 patent, with the 2^{5} could be utilized in a longer part than that same	12 13 14 15 16 17 18 19 20 21 22 23	 analysis, which would include the claim constructions and the overview on page 71. Q. And are all the opinions you have in support of these grounds included in this subsection B., the claim construction section, and in the overview on page 71? A. I made references to different sections of my declaration, so I'm not sure if that has all of it in that one section. I don't want to narrow it to one section in the declaration. So the declaration stands on its own, but that's the basic area where I make my analysis. Q. Do you have any opinions outside of this declaration that Steenfeldt-Jensen alone renders 	10 11 12 13 14 15 16 17 18 19 20 21 22 23	 modification; is that correct? A. That's correct. Q. Are there any benefits from making this proposed change? A. One of the benefits would be the lengthening of the threads would allow you to do that in the driver 85 of Figure 17 of Exhibit 1014. If there were issues with force or additional stress on the threads in item 40 of Figure 17, then you could move those to 85, and one skilled in the art would be motivated to do so. Q. Are there any other benefits? A. If the loads were such that it was creating a frictional issue, and it allowed you to
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3	I believe the patent talks about it being	3	A. I didn't perform an analysis on I don't
4	pretty much an equal tradeoff in many places, that	4	have the parts that embody this patent.
5	it could be in either part.	5	One skilled in the art just knows that
6	Q. Any other benefit?	6	that's a high stress area. So if there was a
7	A. It could allow you to make item 40 be an	7	requirement to move those threads, the patent
8	integral part of the housing and eliminate the use	8	clearly says that you can move them if required.
9	of an unwinder tool to mold the housing, so it	9	Q. And the patent doesn't say or indicate
10	would make the housing easier to manufacture and	10	that there is high stress on the threads in member
11	eliminate a component.	11	40; is that right?
12	Q. Any other benefits?	12	A. I don't think it says that there's high
13	A. Not that I can think of.	13	stress on the threads, but to a person of skill in
14	I think the patent clearly says it could	14	the art, that's the highest force area. Even to a
15	be either way. You could make some of those	15	layman, I think that would be well understood, that
16	arguments going in the other direction. If the	16	you're pushing on the medication against the
17	material and the threads work better together in a	17	stopper, that you're going to have significant
18	shorter distance with a different material in 40	18	forces there, that's where your highest force is.
19	than in 85, a person of skill in the art would	19	And then you're trying to reduce that down on the
20	choose either direction as the molding and	20	button end. So that's pretty well understood that
21	manufacturing and function needs were satisfied.	21	that's the high force area.
22	Q. What analysis did you perform to	22	Q. How is that force reacted?
23	understand whether there might be issues with force	23	A. I don't understand your question.
24	or stress on the threads in member 40 as depicted	24	Q. How is the force reacted from the
25	and described in the fifth embodiment of	25	cartridge piston to the piston rod reacted
	Daga 122		Page 224
1	Page 222 Steenfeldt-Jensen?	1	-
	A. So in doing these analyses, you don't test	2	throughout the rest of the pen injector as disclosed and described in the fifth embodiment of
3	extrinsic evidence, you look at the intrinsic	3	Steenfeldt-Jensen?
4	evidence of the prior art from a position of a	4	A. The reaction force would be an axial force
5	person of skill in the art at the time frame of the	5	pushing against the piston rod, which would then
6	asserted patents.	6	exert forces through the threads to item 40 or to
7	•	ľ	exert forces unough the threads to hern 40 of to
	So one skilled in the art knows from	7	item 85 depending on where you choose to put the
18	So one skilled in the art knows from developing these kind of devices that the highest	7	item 85, depending on where you choose to put the
8	developing these kind of devices that the highest	8	threads.
9	developing these kind of devices that the highest force you have is between the piston rod and the	8 9	threads. Q. And if you put the threads on item 85, is
9 10	developing these kind of devices that the highest force you have is between the piston rod and the cartridge in pushing out the medication, so if	8 9 10	threads. Q. And if you put the threads on item 85, is there a further chain in the reactive force path?
9 10 11	developing these kind of devices that the highest force you have is between the piston rod and the cartridge in pushing out the medication, so if there's a concern with that, then you have an	8 9 10 11	threads. Q. And if you put the threads on item 85, is there a further chain in the reactive force path? A. Can you repeat that question?
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