#### UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

NALOX-1 PHARMACEUTICALS, LLC, Petitioner,

v.

OPIANT PHARMACEUTICALS, INC., Patent Owner.

Case IPR2019-00688 Patent 9,468,747

PRELIMINARY RESPONSE OF PATENT OWNER OPIANT PHARMACEUTICALS, INC.



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|      |     | 3.   | The Prior Art Disclosed That Too Much Liquid Was a Proble for Nasal Delivery, Not Lack of Efficacy   |     |  |  |
|      |     | 4.   | Wyse Taught, and the POSA Would Have Understood, That Higher Doses of Naloxone Risked Withdrawal Symptoms an Other Significant Negative Effects. |     |  |  |
|      |     | 5.   | Contrary to Petitioner's Misreading, Wyse Does Not Teach 4 mg Doses of Naloxone.   |     |  |  |
|      |     | 6.   | The Pharmacokinetic Data in Wyse Would Not Lead the POS to a Single 4 mg Dose of Intranasal Naloxone   |     |  |  |



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