

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MYLAN PHARMACEUTICALS INC., DR. REDDY'S  
LABORATORIES, INC., DR. REDDY'S LABORATORIES, LTD., and  
SUN PHARMACEUTICALS INDUSTRIES LTD.,  
Petitioners,

v.

MERCK SHARP & DOHME CORP.,  
Patent Owner.

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IPR2020-00040<sup>1</sup>  
Patent 7,326,708

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**PATENT OWNER'S DEMONSTRATIVES**

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<sup>1</sup> Dr. Reddy's Laboratories, Inc. and Dr. Reddy's Laboratories, Ltd. were joined as parties to this proceeding via a Motion for Joinder in IPR2020-01060; and Sun Pharmaceuticals Industries Ltd. was joined as a party to this proceeding via Motion for Joinder in IPR2020-01072.

Pursuant to the Board's Order Setting Oral Argument dated January 11, 2021 (Paper 80), Patent Owner Merck Sharp & Dohme Corp.'s demonstratives are appended to this filing.

Date: February 9, 2021

Respectfully submitted,

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# *Mylan Pharmaceutical Merck Sharp & Dohme*

Case IPR2020-004  
U.S. Patent 7,326,7

Claims 1-3, 17, 19,  
“At Once Envisa  
(Grounds 1, 2

## Salt Formation Is Unpredictable

“The experts of both parties agreed that whether a suitable crystalline salt will form from a particular combination is unpredictable.”

*Sanofi-Synthelabo v. Apotex,*

*See also Pfizer Inc. v. Mylan Pharm. Inc., 71 F. Supp. 3d 458, 464 (D. Md. 2014), 2014 WL 1251117, at \*1 (Barbados) SRL v. Watson Pharm., Inc., 2011 WL 6792653, at \*1.*

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