

# Petitioner's Demonstrative Exhibits

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Slayback Pharma LLC  
Petitioner,

v.

Sumitomo Dainippon Pharma Co. Ltd.  
Patent Owner

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IPR2020-01053  
Patent 9,815,827

**Oral Argument August 11, 2021**

# Grounds 1 and 2

## Hinge on Written Description in '927 Provisional

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Ground 1 Manic Depressive Claims  
Anticipated by Latuda Information

Ground 2 Manic Depressive Claims  
Obvious over Latuda information and Loebel

Paper 2, pp. 31-49; Paper 20, pp. 12-13]

## Grounds 1 and 2

### Written Description = Method With All Limitations

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Written description requires disclosure of method with “all” limitations.

*Stored Value v. Card Activation*, 796 F. Supp. 2d 520, 539 (Dist. Del. 2011), *aff’d*, 499 Fed. Appx 5, 14 (Fed. Cir. 2012)

Patent Owner Sur-Reply

“It goes without saying that ***‘the claimed lurasidone dosing regimen’*** means ***‘the claimed method with all limitations.’***”

Paper 20, pp. 16-17; Paper 25, p. 8 (emphasis by Patent Owner)]

## Grounds 1 and 2

### Patent Owner Ignored Illustrative Claim 8

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#### Claim 8

- a. Treating manic depressive psychosis
- b. Oral Administration
- c. Lurasidone or its salt
- d. 20 to 120 mg/day
- e. No clinically significant weight gain

Paper 2, pp. 27-28; Paper 7, p. 7; Paper 20, p. 17]

## Grounds 1 and 2

### Patent Owner Admits Field is “Complex”

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According to Patent Owner:

“Antipsychotic drugs exhibit some of the **most complex** pharmacologic mechanisms of any drug class in clinical psychopharmacology.”

“antipsychotics . . . do indeed exhibit **complex** behavior . . . .”

“Slayback [] continues to ignore the **complexity** of atypical antipsychotics”

Paper 15, p. 6, citing e.g. EX-2131 (Stahl Decl.) ¶77; Paper 25, pp. 1, 7. (emphasis added)]

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