

# Petitioner's Demonstrative Exhibits

---

Slayback Pharma LLC  
Petitioner,

v.

Sumitomo Dainippon Pharma Co. Ltd.  
Patent Owner

---

IPR2020-01053  
Patent 9,815,827

**Oral Argument August 11, 2021**

# Grounds 1 and 2

## Hinge on Written Description in '927 Provisional

---

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

---

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

---

### 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”

---

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)]

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.