

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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LIQUIDIA TECHNOLOGIES, INC.,

Petitioner,

v.

UNITED THERAPEUTICS CORPORATION,

Patent Owner.

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Case IPR2021-00406

Patent 10,716,793

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**JOINT ERRATA**

Pursuant to the Board's email dated April 20, 2022, Petitioner and Patent

Owner hereby identify errata to the documents identified below.

Party requesting change	Paper No.	Page No.	Current text	New text <sup>1</sup>
Patent Owner	55 (Sur-reply)	14	<i>Compare</i> EX2197, 181:3-182:6; EX2102, 27 (DeVilbiss manual: output rates of 3.0 and 2.5 mL/min) <i>with</i> EX1107, ¶33; EX1099 (DeVilbiss testing: 0.67-1.14 mL/min); <i>compare</i> EX2197, 164:5-14, 174:17-20; EX2100, 28; EX2101, 28 (Multisonic manual: rates of 0.6 and 0.5 mL/min) <i>with</i> EX1062 (Multisonic testing: 0.140 mL/min delivered dose rate).	<i>Compare</i> <b><u>EX2099</u></b> , 181:3-182:6; EX2102, 27 (DeVilbiss manual: output rates of 3.0 and 2.5 mL/min) <i>with</i> EX1107, ¶33; EX1099 (DeVilbiss testing: 0.67-1.14 mL/min); <i>compare</i> <b><u>EX2099</u></b> , 164:5-14, 174:17-20; EX2100, 28; EX2101, 28 (Multisonic manual: rates of 0.6 and 0.5 mL/min) <i>with</i> EX1062 (Multisonic testing: 0.140 mL/min delivered dose rate).
Patent Owner	55 (Sur-reply)	15	EX2197, 173:19-174:9; <i>cf.</i> EX2053, ¶81.	<b><u>EX2099</u></b> , 173:19-174:9; <i>cf.</i> EX2053, ¶81.
Patent Owner	55 (Sur-reply)	16	EX2197, 158:6-8, 158:24-159:3.	<b><u>EX2099</u></b> , 158:6-8, 158:24-159:3.

<sup>1</sup> Changed text is shown by bold and underlined text.

Party requesting change	Paper No.	Page No.	Current text	New text <sup>1</sup>
Patent Owner	55 (Sur-reply)	16	Lieberman 2006 (EX2103; EX2197, 198:15-199:6) tested a MyNeb ultrasonic nebulizer using 2.5 mg albuterol sulfate, 20 mg cromolyn sodium, and 0.5 mg ipratropium bromide that yielded 1.73 mg, 10.3 mg, and 0.3 mg of the three drugs.	Lieberman 2006 (EX2103; <b>EX2099</b> , 198:15-199:6) tested a MyNeb ultrasonic nebulizer using 2.5 mg albuterol sulfate, 20 mg cromolyn sodium, and 0.5 mg ipratropium bromide that yielded 1.73 mg, 10.3 mg, and 0.3 mg of the three drugs.
Patent Owner	55 (Sur-reply)	17	EX2197, 101:3-15 (explaining his calculations provide a range that is “bigger than plus/minus 15 percent”).	<b>EX2097</b> , 101:3-15 (explaining his calculations provide a range that is “bigger than plus/minus 15 percent”).
Patent Owner	55 (Sur-reply)	17	EX2197, 104:14-105:1.	<b>EX2097</b> , 104:14-105:1.
Petitioner	60	3	N/A (adding to end of document)	3) Relying on the portions of Ex. 2099 related to Exs. 2100-2013: a. P. 14: “Discrepancies” to “dose rate).” b. P. 15: “Indeed, Dr. Gonda agreed” to “173:19-174:9” c. P.16: “Lieberman 2006” to “respectively.”
Patent Owner	62	3	N/A (adding to end of document)	4) The materials objected to by Petitioner above as items 3)a.-c.

Party requesting change	Paper No.	Page No.	Current text	New text <sup>1</sup>
				<p>are responsive to at least the following portions of Petitioner's Reply and exhibits cited therein:</p> <ul style="list-style-type: none"><li>○ Pages 11-12 (regarding nebulizer efficiency and loss and expected nebulizer output rates).</li><li>○ Pages 12-13 (regarding factors that influence dose delivery and the device accounting for factors affecting output and typical delivery).</li><li>○ Pages 14-15 (regarding the OptiNeb manual's reported delivery rate).</li><li>○ Pages 10-13 (citing EX1107 (Gonda Reply Decl.), ¶¶20-27, 47-50 (assertions about nebulizer volumes, rates, and losses/efficiencies))</li><li>○ Page 15 and n.10 (citing EX1107, ¶¶53-54 (regarding expected delivered doses delivered output rates)).</li></ul>

Respectfully submitted,

Date: May 6, 2022

/Stephen B. Maebius/

Stephen B. Maebius  
Registration No. 35,264  
Counsel for Patent Owner

/Erik B. Milch/

Erik B. Milch  
Registration No. 42,887  
Counsel for Petitioner

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