

1 UNITED STATES PATENT AND TRADEMARK OFFICE
2 _____
3 BEFORE THE PATENT TRIAL AND APPEAL BOARD
4 _____
5
6 REGENERON PHARMACEUTICALS, INC.,
7 Petitioner
8 v.
9 NOVARTIS PHARMA AG, NOVARTIS TECHNOLOGY LLC, NOVARTIS
10 PHARMACEUTICALS CORPORATION,
11 Patent Owners.
12 _____
13
14 Case IPR2021-00816
15 Patent Number 9,220,631
16 _____
17 Deposition via Zoom of JAMES E.
18 MALACKOWSKI, a witness herein, called for examination
19 by counsel for Petitioner in the above-entitled
20 matter, pursuant to notice, the witness being duly
21 sworn by MARY GRACE CASTLEBERRY, a Notary Public in
22 and for the State of Maryland, taken at 10:30 a.m.
EDT, Tuesday, March 29, 2022, and the proceedings
being taken down by Stenotype by MARY GRACE
CASTLEBERRY, RPR, and transcribed under her
direction.

1 APPEARANCES:

2

3 On behalf of the Petitioner:

4 ROBERT T. VLASIS, ESQ.

5 Weil, Gotshal & Manges

6 2001 M Street, N.W., Suite 600

7 Washington, D.C. 20036

8 (202) 682-7000

9 robert.vlasis@weil.com

10 and

11 CALEB SMALL, ESQ.

12 Weil, Gotshal & Manges

13 767 Fifth Avenue

14 New York, New York 10153

15 (212) 310-8000

16 caleb.small@weil.com

17 and

18 JAMES TORI EVANS, ESQ.

19 Axinn, Veltrop & Harkrider LLP

20 114 West 47th Street

21 New York, New York 10036

22

1 APPEARANCES (Continued):

2

3 On behalf of the Petitioner:

4 PETRA SCAMBOROVA, ESQ.

5 Regeneron Pharmaceuticals, Inc.

6 777 Old Saw Mill River Road

7 Tarrytown, New York 10591

8

9 On behalf of the Patent Owners:

10 JOHN T. BENNETT, ESQ.

11 Allen & Overy

12 1 Beacon Street

13 Boston, Massachusetts 02108

14 (857) 353-4500

15 john.bennett@allenoverly.com

16

17

18

19

20

21

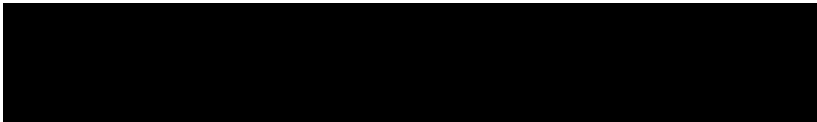
22

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

C O N T E N T S

WITNESS EXAMINATION BY COUNSEL FOR
JAMES E. MALACKOWSKI PETITIONER
BY MR. VLASIS 5

E X H I B I T S

EXHIBIT NO.	PAGE
2205 - Declaration of James E. Malackowski In Support of Patent Owner Response	5
2124 - 	27

- - -

1 P R O C E E D I N G S

2 Whereupon,

3 JAMES E. MALACKOWSKI,

4 was called as a witness by counsel for Petitioner,

5 and having been duly sworn by the Notary Public, was

6 examined and testified as follows:

7 EXAMINATION BY COUNSEL FOR PETITIONER

8 BY MR. VLASIS:

9 Q. Good morning, Mr. Malackowski.

10 A. Good morning, sir.

11 Q. You can confirm there's nothing up on your
12 computer other than the Weil cloudshare and Zoom?

13 A. Correct.

14 Q. And you don't have any notes with you?

15 A. No. I do have a hard copy of my
16 declaration, but it has no notes or highlighting.

17 Q. And do you have any other documents with
18 you?

19 A. I do not.

20 Q. Is there anyone in the room with you?

21 A. There is not.

22 (Exhibit No. 2205 was identified for

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.