

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

REGENERON PHARMACEUTICALS, INC.,
Petitioner

v.

NOVARTIS PHARMA AG,
NOVARTIS TECHNOLOGY LLC,
NOVARTIS PHARMACEUTICALS CORPORATION,
Patent Owner.

IPR2021-00816
Patent 9,220,631 B2

Record of Oral Hearing
Held: July 21, 2022

Before ERICA A. FRANKLIN, ROBERT L. KINDER, and
JAMIE T. WISZ, *Administrative Patent Judges*.

IPR2021-00816
Patent 9,220,631 B2

APPEARANCES:

ON BEHALF OF THE PETITIONER:

ANISH DESAI, ESQ.
Weil, Gotshal & Manges LLP
767 Fifth Avenue
New York, New York 10153
(212) 310-8730
anish.desai@weil.com

CHRISTOPHER PEPE, ESQ.
Weil, Gotshal & Manges LLP
2001 M Street, NW
Washington, D.C. 20036
(202) 682-7153
christopher.pepe@weil.com

ON BEHALF OF THE PATENT OWNER:

WILLIAM G. JAMES, ESQ.
Allen & Overy LLP
1101 New York Avenue, NW
Washington, D.C. 20005
(202) 683-3895
william.james@allenoverly.com

ELIZABETH HOLLAND, ESQ.
Allen & Overy LLP
1221 Avenue of the Americas
New York, New York 10020
(212) 610-6365
elizabeth.holland@allenoverly.com

IPR2021-00816
Patent 9,220,631 B2

The above-entitled matter came on for hearing on Thursday, July 21, 2022, commencing at 11:27 a.m. EDT, at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

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

(11:27 a.m.)

1
2
3 JUDGE KINDER: Good morning, everyone. I'm Judge Kinder, and
4 with me today on the panel are Judges Franklin and Wisz. Today we're
5 going to be hearing oral argument in the case Regeneron Pharmaceuticals as
6 Petitioner v. Novartis Pharma AG and two other Novartis entities as Patent
7 Owner. The case is IPR2021-00816 involving U.S. Patent 9,220,631.

8 If we could do it initial roll call for Petitioner who's appearing today
9 and who's going to be arguing?

10 MR. DESAI: Good morning, Your Honors. Anish Desai. And with
11 me at the counsel table is Chris Pepe. And I will be arguing today.

12 JUDGE KINDER: All right, Mr. Desai, thank you.

13 Patent Owner?

14 MR. JAMES: Good morning, Your Honors. My name is William
15 James. I'll be arguing today. And with me is Elizabeth Holland at Patent
16 Owner's counsel table.

17 JUDGE KINDER: All right, Mr. James, thank you. As you can see,
18 we have two judges remote, so when we are presenting today we want to
19 take extra time, if you call out an exhibit number, give us just a few extra
20 seconds to flip to that exhibit so the judges that are remote can turn to that as
21 well, and also give me a few seconds to find it as well.

22 Petitioner has 45 minutes to present its argument in this case and
23 Patent owner also has 45 minutes to respond. If by chance we have
24 questions and we are feeling like we need extra time to understand the case,

1 we might go over a few minutes, but generally we'll would try to stick to the
2 45.

3 Petitioner is going to open the hearing by presenting its case regarding
4 the challenged claims. The Patent Owner will respond to the Petitioner's
5 argument.

6 The Petitioner may reserve rebuttal time to respond to the arguments
7 by Patent Owner. Mr. Desai, how much time do you need today?

8 MR. DESAI: I'll reserve 10 minutes.

9 JUDGE KINDER: Ten minutes of time. Okay. And then after
10 Petitioner has replied Patent Owner, you can reserve an amount of time.
11 How much time do you want to reserve, Mr. James?

12 MR. JAMES: Your Honor, I'll reserve five minutes.

13 JUDGE KINDER: Five minutes, okay. Give me one second to set
14 the timer. So we're looking at 35 minutes for the initial timer. Would you
15 like a yellow light warning at like two minutes out? That's up to you.

16 MR. DESAI: Sure, that's fine.

17 JUDGE KINDER: Okay. Two minutes it will be yellow. We talked
18 about the need to clearly identify the exhibit if you're referencing it or if
19 your references -- excuse me, if you were referencing a slide number, speak
20 the slide number clearly, give us a second to flip to that as well.

21 And I think there's that. Unless the parties have any other questions,
22 we can get started. Let me make sure my panel doesn't have any questions
23 at this time.

24 JUDGE FRANKLIN: I'm having a little trouble hearing the parties.
25 Can we do a mic check?

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.