

1 UNITED STATES PATENT AND TRADEMARK OFFICE  
2 BEFORE THE PATENT TRIAL AND APPEAL BOARD  
3  
4

5 MYLAN PHARMACEUTICALS, INC.,  
6 Petitioner,  
7

8 vs.

Case IPR2021-00881

9 Pat. No. 9,254, 338 B2  
10

11 REGENERON PHARMACEUTICALS, INC.,  
12 Patent Owner.  
13  
14  
15

16 TELECONFERENCE

17 February 23, 2022  
18  
19  
20  
21  
22  
23  
24  
25

Veritext Legal Solutions

[www.veritext.com](http://www.veritext.com)

888-391-3376

1 UNITED STATES PATENT AND TRADEMARK OFFICE  
2 BEFORE THE PATENT TRIAL AND APPEAL BOARD  
3  
4

5 MYLAN PHARMACEUTICALS, INC.,  
6 Petitioner,  
7

8 vs. Case IPR2021-00881  
9 Pat. No. 9,254, 338 B2  
10

11 REGENERON PHARMACEUTICALS, INC.,  
12 Patent Owner.  
13  
14

15 REPORT OF PROCEEDINGS from the  
16 Teleconference taken by Ms. Suzanne Benoist, RPR,  
17 CCR-MO, CCR-KS, CSR-IL, CSR-IA, pursuant to the  
18 provisions of the Federal Code of Civil Procedure  
19 and Rules of the United States Patent and Trademark  
20 Office, commencing at 1:59 p.m. on February 23,  
21 2022.  
22  
23  
24  
25

1 APPEARANCES

2  
3 FOR THE PETITIONER:

4 RAKOCZY MOLINO MAZZOCHI & SIWIK LLP

5 MR. HEINZ J. SALMEN

6 MR. NEIL MCLAUGHLIN

7 6 West Hubbard Street

8 Chicago, Illinois 60654

9 (312) 527-2157

10 hsalmen@rmmslegal.com

11 nmclaughlin@rmmslegal.com

12  
13  
14 FOR THE PATENT OWNER:

15 ARNOLD & PORTER

16 MR. DAVID CAINE

17 MS. ALICE HO

18 3000 El Camino Real, #500

19 Palo Alto, California 94304

20 (650) 319-4710

21 david.caine@arnoldporter.com

22 alice.ho@arnoldporter.com

1 -oOo-

2 (Whereupon, the conference began at 1:59 p.m.)

3 JUDGE NEW: This is Patent Judge John  
4 New, I'm here with members of the panel.

5 Are counsel for both parties present?

6 MR. SALMEN: Yes, Your Honor. This  
7 is Heinz Salmen on behalf of Petitioner Mylan.

8 MS. FISHMAN: Yes, Your Honor, this  
9 is Deborah Fishman for Patent Owner Regeneron,  
10 although I think I may have been admitted last, I'm  
11 not sure who else is on the line for Patent Owner.

12 MR. CAINE: You've also got David  
13 Caine and Alice Ho, Deborah, for the Patent Owner.

14 MR. COBB: And Jeremy Cobb from  
15 Arnold & Porter as well.

16 MR. SALMEN: And Your Honor, just so  
17 the record is complete also with me are Neil  
18 McLaughlin and Eric Hunt, also on behalf of  
19 Petitioner Mylan.

20 JUDGE NEW: Thank you very much Mr.  
21 Salmen.

22 I understand Mr. Salmen you've  
23 arranged for a court reporter?

24 MR. SALMEN: Yes, I have, and I  
25 believe she is on.

Veritext Legal Solutions

www.veritext.com

888-391-3376

1 JUDGE NEW: Very good. Thank you  
2 very much.

3 Mr. Salmen, could you please once a  
4 transcript of this conference has been prepared can  
5 you please submit that as an exhibit?

6 MR. SALMEN: Yes, absolutely, Your  
7 Honor.

8 JUDGE NEW: Thank you very much.

9 So we're here today to discuss  
10 Petitioner's seeking authorization for a motion to  
11 strike certain portions of the Patent Owner's  
12 response.

13 Mr. Salmen, since you requested this  
14 conference why don't you go ahead and explain what  
15 it is you're looking for precisely without going  
16 into too much detail?

17 MR. SALMEN: Yes, Your Honor.

18 First, thank you for accepting our  
19 request for this teleconference, and Petitioner  
20 submits that a motion to strike is the appropriate  
21 procedure here. We believe that striking the  
22 improperly incorporated by reference testimony will  
23 best alleviate the prejudice and undue burden on  
24 Petitioner the Patent Owner has created here.

25 As you know, Your Honor, we are

# 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.