

1 UNITED STATES PATENT AND TRADEMARK OFFICE
2 BEFORE THE PATENT TRIAL AND APPEAL BOARD
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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.
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16 TELECONFERENCE

17 February 23, 2022
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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.
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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

23
24
25
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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.

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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

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