

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

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4 MYLAN PHARMACEUTICALS, INC., )  
 CELLTRION, INC., AND APOTEX, )  
 5 INC., ) Case IPR2021-00880  
 )  
 6 Petitioners, ) Patent 9,669,069 B2  
 )  
 7 vs. )  
 ) Case IPR2021-00881  
 8 REGENERON PHARMACEUTICALS, )  
 INC., ) Patent 9,254,338 B2  
 9 )  
 Patent Owner. )

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13 Report of Proceedings had at the  
 14 teleconference hearing of the above-entitled cause,  
 15 before the HONORABLE JUDGES ERICA A. FRANKLIN,  
 16 JOHN G. NEW, and SUSAN L.C. MITCHELL, on  
 17 May 19, 2022, commencing at 1:00 p.m. CST.

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22 Reported remotely by June M. Funkhouser, CSR, RMR

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1 APPEARANCES VIA TELECONFERENCE:

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on behalf of Patent Owner.

1 JUDGE FRANKLIN: Good afternoon. This is  
2 Judge Franklin. I'm on a line with Judges New and  
3 Mitchell.

4 This is a conference call in  
5 IPR2021-00880 and 881.

6 Who do we have for Petitioner?

7 MR. SALMEN: Hello, Your Honor. This is  
8 Heinz Salmen on behalf of Petitioner of the law  
9 firm Rakoczy, Molino --

10 JUDGE FRANKLIN: I'm sorry. One moment.  
11 I'm having a little trouble hearing you. One  
12 second.

13 Okay. Could you start again?

14 MR. SALMEN: Yes. Is this better now?

15 JUDGE FRANKLIN: Yes.

16 MR. SALMEN: Okay. This is Heinz Salmen  
17 of the law firm Rakoczy, Molino, Mazzochi, Siwik on  
18 behalf of Petitioner Mylan.

19 On the call with me I have my  
20 colleagues Deanne Mazzochi and Jeff Marx, and also  
21 on the call Neil McLaughlin.

22 JUDGE FRANKLIN: Okay. Thank you.

23 And who do we have for Patent Owner?

24 MS. FISHMAN: Good afternoon or good

1 morning, Your Honor. This is Deborah Fishman of  
2 the firm Arnold & Porter on behalf of Patent Owner  
3 Regeneron.

4 I believe with me today I have my  
5 partner David Caine, though I didn't hear him  
6 announce himself on the call.

7 David, are you here?

8 MR. CAINE: I'm here.

9 MS. FISHMAN: Okay; perfect.

10 And then I believe we also have our  
11 colleagues Matthew Wilk and Alice Ho, also of the  
12 law firm Arnold & Porter, on behalf of Patent Owner  
13 on the call today.

14 I heard Matthew introduce himself.  
15 Alice, are you here?

16 DR. HO: Yes, I am.

17 MS. FISHMAN: Okay. That's all that  
18 we're expecting on behalf of Patent Owner, Your  
19 Honor.

20 JUDGE FRANKLIN: Okay. Thank you.

21 And do we have a court reporter?

22 THE REPORTER: Yes, Your Honor. My name  
23 is June Funkhouser with the firm Veritext.

24 JUDGE FRANKLIN: Okay. And who arranged

1 for the court reporter?

2 MR. SALMEN: Your Honor, that would be  
3 Petitioner arranged for the court reporter.

4 JUDGE FRANKLIN: Okay; thanks.

5 So I just wanted to instruct you to  
6 provide a copy of the transcript as soon as it's  
7 available, and also while I'm talking to you I'll  
8 let you go ahead and begin and explain a little  
9 background in terms of it looks like maybe you were  
10 seeking to get an agreement for discovery and that  
11 because no agreement was reached you wanted to gain  
12 some guidance on seeking authorization for a motion  
13 for additional discovery.

14 So please expand on that or correct my  
15 impression of that, if appropriate.

16 MR. SALMEN: Yes, Your Honor. Again,  
17 this is Heinz Salmen for Petitioner.

18 With your permission, Your Honor, my  
19 colleague, Jeff Marx, is going to handle today's  
20 call and present our positions for you.

21 JUDGE FRANKLIN: That's fine.

22 MR. SALMEN: I'll hand it over to Jeff.

23 MR. MARX: Your Honor, Jeff Marx.

24 Petitioner took the depositions of

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