

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

3 -----  
4 MYLAN PHARMACEUTICALS INC.,  
5 Petitioner,

6 vs

7 NOVO NORDISK A/S,  
8 Patent Owner,

9 -----  
10 Case IPR2023-00724

11 U.S. Patent No. 10,335,462

12 -----  
13 Conference Call

14 Monday, July 22, 2024

15 12:14 p.m. CST

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18  
19 Job No.: 546358

20 Pages: 1 - 65

21 Reported by: THERESA A. VORKAPIC,

22 CSR, RMR, CRR, RPR

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Conference call, pursuant to agreement before  
Theresa A. Vorkapic, a Certified Shorthand  
Reporter, Registered Merit Reporter, Certified  
Realtime Reporter, Registered Professional  
Reporter and a Notary Public in and for the State  
of Illinois.

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

2 (Proceedings were had which are not herein  
3 transcribed.)

4 MR. BAUGHMAN: I'd like to go on to the  
5 relief we're seeking if that's agreeable.

6 THE CHAIRPERSON: Yes, that would.

7 MR. BAUGHMAN: So we're not seeking to  
8 have the board enforce Mylan's stipulation. It's  
9 not purpose of this call. And if Mylan continues,  
10 I expect we'll see litigation counsel do that at  
11 the District Court.

12 What we're seeking permission for is a  
13 motion for sanctions for Mylan's ongoing  
14 violations, and those are sanctions the District  
15 Court can't give us. The standard for sanctions  
16 under PQA and OpenSky, I'm happy to give the cites  
17 for those, it's IPR2021-1229, Paper 102 that's  
18 precedential, at Pages 36 to 37 and OpenSky is  
19 IPR2021-1064 Paper 102 at 26. It's a three-part  
20 test. The first is whether the parties performed  
21 conduct warranting sanctions, and PQA says that  
22 the fact-based inquiry about whether conduct

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