

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC. and MYLAN LABORATORIES
LIMITED,
Petitioners,

v.

UCB PHARMA GMBH,
Patent Owner.

Case IPR2016-00510¹
Patent 6,858,650 B1

**PATENT OWNER'S NOTICE OF OBJECTIONS UNDER 37 C.F.R. § 42.64
TO EVIDENCE SUBMITTED IN SUPPORT OF PETITIONER'S
CORRECTED REPLY**

¹ Petitioners Alembic Pharmaceuticals Limited from IPR2016-01596, Torrent Pharmaceuticals Limited from IPR2016-01636, and Amerigen Pharmaceuticals Limited from IPR2016-01665 have been joined as Petitioners to this proceeding.

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Pursuant to 37 C.F.R. § 42.64, Patent Owner UCB Pharma GmbH (“UCB” or “Patent Owner”) objects to the admissibility of the documents identified below that were submitted by Mylan Pharmaceuticals Inc. and Mylan Laboratories Limited (“Petitioner”) in support of Petitioner’s Corrected Reply, for at least the following reasons:

1. UCB objects to Petitioner’s Exhibits 1073, 1074, 1075, and 1076 for reasons made on the record during the depositions.
2. UCB objects to Petitioner’s Exhibits 1073, 1074, 1075, and 1076 on relevance grounds under Federal Rules of Evidence 401-403.
3. UCB objects to Petitioner’s Exhibits 1073, 1074, 1075, and 1076 as prejudicial and unfair under Federal Rules of Evidence 106 and 403. These exhibits are further objected to as lacking foundation and misleading because the exhibits only contain excerpts of the entire depositions and therefore, do not place the statements of Patent Owner’s declarants in context. *See Zhongshan Broad Ocean Motor Co. v. Nidec Motor Corp.*, IPR2014-01121,-01122 (Sept. 10, 2015), Paper No. 34 (ordering the parties to file full transcripts of any deposition relied on). Petitioner mischaracterizes the testimony of Patent Owner’s declarants throughout its Corrected Reply. Petitioner further misquotes Dr. Hans Maag by failing to disclose that Dr. Maag’s errata sheet, which was timely served on

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Petitioner and on the Court Reporter, corrected the word “product” to “prodrug.”

Petitioner’s Corrected Reply at 7, citing to Ex. 1074 at 77:11-19.

These objections have been made within 5 business days from receipt of
Petitioner’s Reply (Paper 27), which was subsequently corrected (Paper 28).

Respectfully submitted,

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Date: January 30, 2017

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Patent Owner's Objections to Evidence Pursuant to 37 C.F.R. § 42.64 was served on January 30, 2017, by filing this document through the Patent Trial and Appeal Board End to End system as well as delivering a copy via electronic mail upon the following attorneys of record for the Petitioners:

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