

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMNEAL PHARMACEUTICALS, LLC,
Petitioner,

vs.

PURDUE PHARMA, L.P.,
THE P.F. LABORATORIES, INC., and
PURDUE PHARMACEUTICALS, L.P.,
Patent Owner

Cases IPR2016-01027 and IPR 2016-01028
Patent 9,060,976 B2

Record of Oral Hearing
Held: August 2, 2017

Before LORA M. GREEN, CHRISTOPHER G. PAULRAJ, and
JACQUELINE T. HARLOW, *Administrative Patent Judges*.

Cases IPR2016-01027 and IPR 2016-01028
Patent 9,060,976 B2

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The above-entitled matter came on for hearing on Wednesday, August 2, 2017, commencing at 1:00 p.m., at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

1 PROCEEDINGS

2 JUDGE PAULRAJ: Good afternoon. This is
3 the oral hearing of IPR2016-01027 and 01028, both
4 of which involve U.S. Patent Number 9,060,976.

5 I'm Judge Paulraj. And with me in the room
6 here is Judge Green. And participating
7 remotely -- you guys can see Judge Harlow. She's
8 from our Denver office. So let's start with
9 introductions first, with petitioner's counsel and
10 then patent owner's counsel.

11 MR. VAN BUSKIRK: Good morning, Your
12 Honors -- or good afternoon, Your Honors. May it
13 please the Court, my name is Ted Van Buskirk. I am
14 here on behalf of the petitioner, Amneal
15 Pharmaceuticals. With me at the counsel table, I
16 have my colleague, Nichole Valeyko. Also, Michael
17 Teschner from my firm. And finally, from Amneal,
18 Lars Taavola.

19 JUDGE PAULRAJ: Thank you.

20 MR. LAROSA: Good afternoon, Your Honor.
21 My name is Gasper LaRosa. I'm from Jones Day of
22 New York. I'm here on behalf of the patent owner,

1 Purdue Pharma. I'm joined here at the counsel
2 table by Sarah Geers. Behind me is Mr. Kelsey Nix,
3 directly behind me. He may be handling part of the
4 argument today related to commercial success, if we
5 get to that point. We also have John Normile here.
6 And from Purdue Pharma, Bruce Koch.

7 JUDGE PAULRAJ: All right. Thank you, Mr.
8 LaRosa. Pursuant to our trial hearing order, each
9 party will have 45 minutes to present their
10 argument. Petitioner will present its case first
11 and reserve time for rebuttal. Patent owner will
12 then respond followed by any rebuttal arguments
13 from petitioner.

14 In order to make a clear record, counsel
15 should identify the specific demonstratives they're
16 referring to during their presentation. This will
17 also help Judge Harlow follow along as she may not
18 be able to see the specific demonstratives that are
19 being shown in this room.

20 Additionally, I want to remind the parties
21 that this is a public hearing. If for some reason
22 we need to discuss any confidential information, we

1 can do that separately. With that, Mr. Van
2 Buskirk -- is that how I pronounce it, right?

3 MR. VAN BUSKIRK: That's correct, Your
4 Honor.

5 JUDGE PAULRAJ: How much time would you
6 like for rebuttal?

7 MR. VAN BUSKIRK: Your Honor, I would like
8 to reserve 25 minutes for rebuttal, please.

9 JUDGE PAULRAJ: Okay. So that would give
10 you 20 minutes for your primary argument.

11 MR. VAN BUSKIRK: Okay.

12 JUDGE PAULRAJ: And let me put that on the
13 clock behind me. And I will set it so that it
14 turns -- the light turns yellow with five minutes
15 left.

16 MR. VAN BUSKIRK: Very good. Thank you.

17 JUDGE PAULRAJ: And I'll also try to give
18 you a warning when you're close to the end of your
19 time.

20 Mr. Van Buskirk, before you proceed -- you
21 may come to the podium.

22 MR. VAN BUSKIRK: Thank you.

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