UNITED STATES PATENT AND TRADEMARK OFFICE

ETON PHARMACEUTICALS

ion immunicacite

Petitioner

-VS-

EXELA PHARMA SCIENCES, LLC,

Patent Owner

U.S. Patent No. 10,478,453

PGR2020-00064

Board Members: Judge Jenks

Judge Mitchell Judge Paulraj

TELEPHONE CONFERENCE

Tuesday, September 21, 2020 - 2:00 p.m. CST

Reported by:

Alyssa A. Repsik

Job No. 28559

TransPerfect Legal Solutions 212-400-8845 - Depo@TransPerfect.com



		Page 2
1	APPEARANCES	
2	HAYNES & BOONE, LLP 180 N. LaSalle Street, Suite 2215	
3	Chicago, Illinois 60601 MR. RALPH J. GABRIC, ESQ.	
4	ralph.gabric@haynesboone.com MR. EUGENE GORYUNOV, ESQ.	
5	Eugene.Goryunov@haynesboone.com MS. JUDY HE, ESQ.	
6	Judy.He@haynesboone.com Appeared on behalf of the Petitioner;	
7	11 2002 200 200 200 200 200 200 200 200	
8		
9		
10	FISH & RICHARDSON, P.C. 3200 RBC Plaza	
11	60 South Sixth Street Minneapolis, MN 55402	
12	MS. DOROTHY P. WHELAN, ESQ. whelan@fr.com	
13	MS. ALANA C. MANNIGE, ESQ. mannige@fr.com	
14	MS. CHRISTINA D. BROWN-MARSHALL, ESQ. brown-marshall@fr.com	
15	MS. BETSY FLANAGAN, ESQ. betsy.flanagan@fr.com	
16	Appeared on behalf of the Patent Owner.	
17		
18		
19		
20		
21		
22		
1		

TransPerfect Legal Solutions 212-400-8845 - Depo@TransPerfect.com

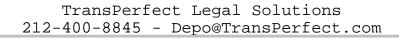


_		
		Page 3
1	PROCEEDINGS	
2	JUDGE JENKS: Hello. Good	
3	afternoon. This is a conference call in PGR	
4	2020-00064 involving Patent No. 10,478,453.	
5	I'm Judge Jenks, and I'm joined	
6	today by Judge Mitchell and Judge Paulraj as	
7	well.	
8	So let me begin	
9	MR. GABRIC: Good afternoon.	
10	JUDGE JENKS: Good afternoon.	
11	Let me begin with the appearances of counsel.	
12	Who do I have on the call for	
13	Petitioner and who will be speaking?	
14	MR. GABRIC: You have Ralph	
15	Gabric on the call. I'll be speaking for	
16	Petitioner. And joining me on the call for	
17	Petitioner are Eugene Goryunov and Judy He.	
18	Sorry, Eugene. I apologize.	
19	MR. GORYUNOV: That's all	
20	right. It's not the simplest last name in the	
21	world.	
22	MR. GABRIC: Why don't I just	

TransPerfect Legal Solutions 212-400-8845 - Depo@TransPerfect.com



		Page 4
1	call you EG?	
2	Sorry about that, Your Honor.	
3	JUDGE JENKS: Anybody else?	
4	MR. GABRIC: Not for	
5	Petitioner. Not for Petitioner. No, not from	
6	Petitioner.	
7	JUDGE JENKS: Okay. So Patent	
8	Owner, who do we have on the phone and who will	
9	be speaking?	
10	MS. WHELAN: Good afternoon,	
11	Your Honor. This is Dorothy Whelan. I will	
12	I'm speaking on behalf of Patent Owner, Exela.	
13	And I'm joined by my Fish & Richardson	
14	colleagues, Betty Flanagan, Christina	
15	Brown-Marshall, and Alana Mannige.	
16	JUDGE JENKS: Excellent. So	
17	another question, is there a court reporter on	
18	the call, and if so, will the party responsible	
19	for the court reporter file a copy of the	
20	transcript with the Board as an exhibit?	
21	MR. GABRIC: Yes, Your Honor,	
22	there is a court reporter on the call and	





		Page 5
1	Petitioner will file the transcript.	
2	JUDGE JENKS: Thank you.	
3	Thank you very much.	
4	Petitioner, you've requested this	
5	call seeking authorization to file a reply for	
6	two Patent Owner preliminaries, a preliminary	
7	response?	
8	MR. GABRIC: Correct.	
9	JUDGE JENKS: Specifically,	
10	you're wishing to reply to certain points	
11	raised by Patent Owner in their preliminary	
12	response.	
13	Can you elaborate for us what it is	
14	you want and what it is you're hoping to	
15	achieve?	
16	MR. GABRIC: Yes. Yes, Your	
17	Honor. And feel free to jump in if I get too	
18	much in the weeds. I'll try to avoid it.	
19	But on the first point we'd like to	
20	respond to, and it's an argument that, quite	
21	frankly, we did not anticipate, is the argument	
22	that there's a lack of particularity with the	

TransPerfect Legal Solutions 212-400-8845 - Depo@TransPerfect.com



DOCKET A L A R M

Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.

