

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

3 -----
4 TAKEDA VACCINES, INC.

5 Petitioner,

6 vs.

7 VALNEVA AUSTRIA GMBH,

8 Patent Owner
9 -----

10 Case IPR2023-00354

11 U.S. Patent No. 11,219,681
12 -----

13
14 Telephonic Conference

15 Wednesday, April 19, 2023

16 10:01 a.m. CST
17
18

19 Job No.: 489274

20 Pages: 1 - 27

21 Reported Stenographically by:

22 Tiffany M. Pietrzyk, CSR RPR CRR

Transcript of Telephone Conference

Conducted on April 19, 2023

2

1 Telephonic conference, before Tiffany M.
2 Pietrzyk, a Certified Shorthand Reporter, Registered
3 Professional Reporter, Certified Realtime Reporter,
4 and a Notary Public in and for the State of
5 Illinois.

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

PLANET DEPOS

888.433.3767 | WWW.PLANETDEPOS.COM

1 A P P E A R A N C E S

2 ON BEHALF OF THE PTAB PANEL:

3 Judge Wesley B. Derrick

4 Judge Jamie Wisz

5

6 ON BEHALF OF THE PETITIONER:

7 ELDORA L. ELLISON, Ph.D., ESQUIRE

8 OLGA A. PARTINGTON, Ph.D., ESQUIRE

9 CHRISTOPHER M. GALLO, Ph.D., ESQUIRE

10 STERNE, KESSLER, GOLDSTEIN & FOX, P.L.L.C.

11 1100 New York Avenue, NW, Suite 600

12 Washington, DC 20005

13 202.371.2600

14

15 ON BEHALF OF THE PATENT OWNER:

16 STEPHEN S. RABINOWITZ, ESQUIRE

17 JOHN R. VAN AMSTERDAM, Ph.D., ESQUIRE

18 WOLF GREENFIELD & SACKS

19 605 Third Avenue, 25th Floor

20 New York, New York 10158

21 212.849.3356

22

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

I N D E X	
PROCEEDINGS	PAGE
	5

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

2 JUDGE DERRICK: This is Judge Derrick. With
3 me on the line today is Judge Wisz. Judge Pollock
4 is a member of the panel but is unable to join us
5 today.

6 We are here in a conference call in
7 IPR2023-00354, Takeda Vaccines, Incorporated vs.
8 Valneva Austria GmbH. I hope I pronounced the
9 parties' names correctly.

10 Before we get started, I'd like to ask
11 everybody on the call to identify themselves. Let's
12 start with counsel for petitioner Takeda Vaccines.

13 DR. ELLISON: Good morning, your Honor.
14 This is Eldora Ellison from Sterne, Kessler,
15 Goldstein & Fox. I have with me on the line my
16 colleagues Christopher Gallo and Olga Partington.

17 JUDGE DERRICK: Okay. Thank you. Your
18 responsible for the court reporter that's here too?

19 DR. ELLISON: That's correct, your Honor. I
20 will submit a copy of the transcript, assuming you'd
21 like that.

22 JUDGE DERRICK: Okay. Yeah, just please

1 file that as soon as it becomes available.

2 And who do we have on the line for patent
3 owner?

4 MR. RABINOWITZ: Good morning, your Honor.
5 This is Stephen Rabinowitz from Wolf, Greenfield &
6 Sacks, on behalf of patent owner Valneva, with my
7 colleague John Van Amsterdam.

8 JUDGE DERRICK: Okay. Thank you.

9 We understand petitioner seeks authorization
10 for a motion to set for disposition the patent
11 owner's statutory disclaimer that the challenged
12 claims in this proceeding should be treated as a
13 request for adverse judgment. We also understand
14 that patent owner is taking the position that the
15 proceedings should be terminated without entering
16 adverse judgment -- (Technical distortion.)

17 We note that the patent owner cites to a
18 precedential board decision in support of its
19 decision, General Electric V United Technologies.
20 That's IPR2012-00491, Paper 9.

21 I will ask petitioner to set forth its
22 position for why we should authorize the requested

1 motion, and then we'll turn to patent owner for
2 response.

3 But before -- or in doing that, I'd also
4 like to ask the parties address whether there's any
5 issue with regard to timing of a decision on this
6 matter. In particular, with the patent owner having
7 disclaimed all the challenged claims, it appears the
8 only constraint as to timing would be that the
9 briefing, if there is any briefing authorized, would
10 need to be completed sometime prior to the due date
11 for an institution decision. In the case of -- if
12 people could comment on that, I would appreciate it.

13 And with that, let's hear from you all.

14 Petitioner?

15 DR. ELLISON: Thank you, your Honor.

16 I'll start with the timing issue. Regarding
17 the timing, we are prepared to file a motion, if
18 authorized, on any --

19 JUDGE DERRICK: Hello?

20 DR. ELLISON: I'm sorry. Can you hear me,
21 your Honor? Hello? Can you hear me? Your Honor?

22 JUDGE DERRICK: Did I lose the call?

Transcript of Telephone Conference
Conducted on April 19, 2023

8

1 DR. ELLISON: Hello? I can hear -- I can
2 hear --

3 DR. PARTINGTON: We can hear you.

4 JUDGE DERRICK: Sorry. Can you hear me?

5 DR. ELLISON: Yes, sir. Yes, your Honor.
6 Can you hear me now? I hear some background noise,
7 by the way. Hello?

8 JUDGE DERRICK: Hello. Hi. This is Judge
9 Derrick again. I apologize for that. There was a
10 technical difficulty here, and I did not hear what
11 anyone said.

12 DR. ELLISON: Okay.

13 JUDGE DERRICK: I understand -- did I drop
14 off before I got through my spiel?

15 DR. ELLISON: Good morning, your Honor.
16 This is Eldora Ellison. I believe we heard your
17 entire spiel.

18 JUDGE DERRICK: Okay.

19 DR. ELLISON: I heard the part about timing.

20 We hear quite a bit of background noise,
21 typing. I'm not sure if that's coming from -- thank
22 you.

1 So first, your Honor, to address your
2 question regarding timing, we are prepared to file
3 our motion at any reasonable time if the board
4 requests. So we also submit that this is an issue
5 that the board can decide in our favor even without
6 the filing of a motion. This case is just like the
7 Arthrex vs. Smith & Nephew case, which, of course,
8 is a Federal Circuit case. I'll give you the full
9 citation. It's 880 F.3d 1345. So, of course, that
10 is the controlling case law.

11 And the GE case that patent owner mentions,
12 while it's precedential, it does not address the
13 issue of whether adverse judgment can be entered.
14 It simply states that trial will not be instituted.
15 We're not asking that trial be instituted in this
16 case. We're not disputing patent owner's request
17 that the trial be terminated. However, in
18 accordance with cases like the Arthrex case and many
19 other decisions from the PTAB, including, for
20 example, the Google vs. Seven Networks IPR, which
21 is -- I can give you the IPR number for that one;
22 it's IPR number 2018-01104, Paper 10 -- and many

1 other cases from the PTAB, this is an instance in
2 which the patent owner's statutory disclaimer should
3 be treated as a request for adverse judgment.

4 And the Federal Circuit made it abundantly
5 clear in its case, in the Arthrex V Smith & Nephew
6 case, that it doesn't matter whether the disclaimer
7 occurs pre-institution or post-institution. As the
8 Federal Circuit explains, the purpose of
9 Rule 42.73(b), which I think we all agree is the
10 relevant rule here, the purpose of that rule is to
11 define the circumstances in which the estoppel
12 provisions apply.

13 And the Federal Circuit explains, For this
14 purpose -- and I'm quoting -- there seems to be no
15 meaningful distinction between claims that are
16 canceled before an IPR proceeding is instituted and
17 claims that are canceled after an IPR proceeding is
18 instituted.

19 And so I think there's -- there would be no
20 dispute here that had the patent owner disclaimed
21 its claims after institution of trial, patent owner
22 estoppel would apply. As the Federal Circuit

1 explained, the same is true even if that disclaimer
2 occurs pre-institution. And the PTAB also has
3 applied the same rationale from the Federal Circuit
4 in cases such as the Smith & Nephew case -- excuse
5 me -- in cases such as the Google V Seven Networks
6 IPR that I pointed to earlier, IPR2018-01104.

7 If you'll take a look at the cases that the
8 patent owner has cited, the vast majority of those
9 don't address the issue of adverse judgment at all.
10 And that's the case for the GE case that they cite.
11 It doesn't say that adverse judgment is
12 inappropriate.

13 And if you think about it, really, what the
14 patent owner is trying to do here is really an end
15 run around the whole AIA and its statutory scheme of
16 ensuring that high-quality patents are issued from
17 the patent office. Because here, where they
18 disclaimed all the claims up front, they essentially
19 are acknowledging that their claims are
20 indefensible; yet, they have filed continuation
21 applications that are pursuing nearly identical
22 claims. And so when you think about the equitable

1 reasons for principles of estoppel, they're all
2 absolutely applicable here and should be applied
3 here.

4 As the Federal Circuit recognized,
5 construing a statutory disclaimer of the challenged
6 claims as a request for adverse judgment aligns with
7 the policies underlying the estoppel provisions of
8 the rules; namely, the policies of finality and
9 repose that are embodied in doctrines of res
10 judicata and collateral estoppel. Put quite simply,
11 it would be unfair to allow the patent owner to
12 cancel its claims and avoid the effects of an IPR by
13 just canceling its claims and pursuing patentably
14 indistinct claims in continuation applications.

15 And so for these reasons and for the
16 integrity of the patent process, we submit that this
17 board not only is authorized to enter adverse
18 judgment, but that it should enter adverse judgment
19 in a case such as this to preclude the patent owner
20 from simply obtaining patentably indistinct claims
21 in continuation applications.

22 I'll pause there and see if there are any

1 questions.

2 JUDGE DERRICK: Yeah, if you could maybe
3 expand on the basis, if this is your position, that
4 Arthrex requires the board to enter or to issue
5 adverse judgment or it simply is permissive and
6 allows the board to do that prior to institution.

7 DR. ELLISON: I think Arthrex is -- sorry.
8 I didn't mean to interrupt.

9 JUDGE DERRICK: No, that's okay. I was just
10 gonna say I think that probably the relevant part of
11 the decision is probably at page 1350.

12 DR. ELLISON: So, I mean, Arthrex itself
13 says that Rule 42.73, quote, permits the board to
14 enter an adverse judgment where the patent owner
15 cancels all the claims at issue after an IPR has
16 been filed but before institution decision.

17 So that's exactly the circumstance here.
18 The rationale that was set forth in Arthrex is the
19 same rationale that's equally applicable here, which
20 is a patent owner should not be allowed to simply
21 avoid all of the impact of an IPR by canceling its
22 claims pre-institution. There's no meaningful

1 difference between a disclaimer and, really, a
2 surrender of patent claims in the wake of an IPR
3 petition, whether that's done before institution or
4 after institution.

5 And as the rules explain, Rule 42.73(b) --
6 Rule 42.73 explains, when a patent owner cancels or
7 disclaims its patent claims, as they did here, in a
8 proceeding -- and in a proceeding means both
9 pre-institution and post-institution. When they
10 disclaim such a claim, that should be treated as a
11 request for adverse judgment. That's exactly what
12 the statutory scheme has in mind, that the patent
13 owner cannot simply walk away from this proceeding
14 and then pursue essentially the same claims later
15 without any repercussions of their lack of defense
16 against the arguments that were raised in the
17 petition. That would result in a very inefficient
18 process where the patent owner can just keep a
19 continuation pending and just circumvent the
20 proceeding, the IPR proceeding, by continuing to
21 pursue claims ex parte without any repercussions
22 from their complete lack of defense and surrender

1 patentably indistinct claims.

2 Does that adequately address your question,
3 your Honor?

4 JUDGE DERRICK: Yes, that -- I understand --
5 I can understand your position.

6 I guess the second question I would have,
7 before we turn to patent owner, would be what we --
8 what you propose we are to do and how we are to
9 address the GE case, as it's a board precedential
10 decision.

11 DR. ELLISON: Well, again, the GE case
12 simply says that no inter partes review is
13 instituted. The GE case does not say entry of
14 adverse judgment is impermissible. The GE case
15 cites the Vectra case, but that case is quite
16 distinguishable. And I'll just mention briefly that
17 was a case where the issue was whether the original
18 patent claims -- excuse me -- whether the claims in
19 the reissue were broadening reissue. So they
20 treated -- for the purpose of that analysis, they
21 treated the original claims as though they had never
22 existed and determined that the claims in the

1 broadening reissue were indeed broadening. But
2 that's really still a different issue than whether
3 adverse judgment can be entered.

4 An adverse judgment was indeed entered in
5 the Arthrex case, which is controlling case law. I
6 realize GE is precedential, but GE gets to a
7 different legal issue than the issue that was
8 decided in the controlling case law, which is the
9 Arthrex V Smith & Nephew case.

10 So I would submit that here, termination of
11 the IPR is appropriate, but that the termination,
12 that can be accompanied by a finding that the patent
13 owner is subject to adverse judgment by way of
14 operation of the fact that they disclaimed their
15 claims under Rule 42.73. In other words, finding
16 adverse judgment here is not inconsistent with GE
17 being a precedential case.

18 JUDGE DERRICK: Okay. Let's hear from
19 patent owner.

20 Sorry?

21 DR. ELLISON: I was just going to make one
22 final point, your Honor.

1 JUDGE DERRICK: Okay.

2 DR. ELLISON: Which is they make it --
3 Federal Circuit made it clear in the Arthrex vs.
4 Smith & Nephew case, trial doesn't have to be
5 instituted in order to enter a judgment here.
6 Judgment means the termination of the proceeding.
7 And as the Federal Circuit explained in analyzing
8 Rule 42.73, the proceeding includes both the
9 preliminary trial proceeding, you know, in other
10 words, the pre-institution part of the case, as well
11 as the post-institution part of the case. And so
12 what we are proposing here is completely in line
13 with the statute and the rules and the case law,
14 including the controlling Federal Circuit case law.

15 Thank you, your Honor.

16 JUDGE DERRICK: Thank you.

17 Let's hear from patent owner now.

18 MR. RABINOWITZ: Thank you, your Honor.

19 This is Stephen Rabinowitz on behalf of
20 patent owner Valneva.

21 We submit it would be a waste of time to
22 entertain a motion on the issue of adverse judgment.

1 Takeda has laid out their position in their
2 March 24th email, in which they requested adverse
3 judgment, relying on the Federal Circuit's decision
4 in Arthrex and the nonprecedential board decision in
5 Google vs. Seven Networks, which granted adverse
6 judgment but was issued before September 9, 2019,
7 when the precedential decision in General
8 Electric -- when General Electric was made
9 precedential.

10 And, your Honor, I just want to draw
11 your attention to a typo in my email. The citation
12 to the precedential General Electric decision is
13 IPR2017-00491.

14 JUDGE DERRICK: Yes.

15 MR. RABINOWITZ: I apologize for that.

16 JUDGE DERRICK: That's no problem.

17 MR. RABINOWITZ: So a motion is unnecessary
18 because the precedent is clear in governing how the
19 board will exercise its discretion after a
20 pre-institution disclaimer of all the challenged
21 claims. And ever since General Electric was made
22 precedential, the board has consistently follow that

1 precedent by denying institution and declining to
2 enter adverse judgment after a pre-institution
3 disclaimer of all challenged claims. And I note
4 that Takeda has identified no instances to the
5 contrary, nor are we able to find any.

6 In doing that, the board has also repeatedly
7 relied on the precedent of General Electric to deny
8 petitioner's request for leave to brief the issue of
9 adverse judgments following a pre-institution
10 disclaimer of all challenged claims.

11 If I could just give three examples, the
12 first is General Electric vs. United Technologies,
13 the subsequent General Electric IPR. The IPR is
14 IPR2019-01489, Paper 11, dated December 10, 2019, at
15 page 3. The second is Google LLC vs. Jenam
16 Technology LLC, PGR2021-00082, Paper 8, dated
17 November 17, 2021, at page 2, footnote 1. And the
18 third example is Select Sires Inc. vs. ABS Global,
19 Inc., PGR2022-0019, also 2022-0020, Paper 10, dated
20 June 28, 2022, at page 2, footnote 2.

21 And the second of those examples, Google
22 LLC, actually makes the point that your Honor made

1 by noting that, quote, Nothing in Arthrex compels
2 entry of an adverse judgment in this case. And
3 because of that, the panel determined no further
4 briefing on the adverse judgment issue is necessary.
5 And, of course, your Honor identified the relevant
6 citation in the Federal Circuit's decision in
7 Arthrex, where the court held that 37 CFR 42.73(b)
8 permits the board to enter an adverse judgment.

9 The board has adopted a precedential
10 practice of denying institution and not entering
11 adverse judgment and has consistently abided by that
12 practice ever since General Electric was made
13 precedential. Valneva, in this case, relied on this
14 clear precedent in deciding to disclaim the
15 challenged claims. And this precedent serves the
16 efficiency of the board. Without it, patent owners
17 would be reluctant to disclaim prior to institution
18 if the consequence were that adverse judgment could
19 be entered, and that would needlessly increase the
20 board's workload. We submit this panel should not
21 be the first to muddy the clear precedent of General
22 Electric by granting adverse judgment.

1 I'd just like to point out, in its
2 continuing applications, Valneva has filed an IDS
3 submitting and making of record Takeda's petition,
4 Takeda's supporting expert declaration, and all the
5 prior art cited by Takeda. So the office will be
6 fully apprised of all Takeda's evidence and
7 arguments when it examines the pending claims.

8 The precedent is clear. No briefing is
9 necessary. The board should deny institution and
10 decline to enter adverse judgment.

11 JUDGE DERRICK: Is there anything further?

12 MR. RABINOWITZ: Nothing further on this
13 unless your Honors have any questions.

14 DR. ELLISON: May I respond to that, your
15 Honor?

16 JUDGE DERRICK: Yes, please.

17 DR. ELLISON: Thank you.

18 So, first, regarding the submission of the
19 IPR filings and art in an IDS, merely complying with
20 one's duty of disclosure is not the same thing as
21 having an examiner apply patent owner estoppel, such
22 that the patent owner has to show that the claims

1 they are pursuing now are patentably distinct over
2 the claims that they've surrendered as part of the
3 IPR proceeding. There's a reason that the estoppel
4 provisions were put into law, and that's to allow
5 for principles of collateral estoppel and res
6 judicata to apply in situations just like this. And
7 the Federal Circuit, which is the controlling
8 authority, has recognized that.

9 And if you think about the consequences --

10 JUDGE DERRICK: So, Counsel, in what way --
11 Counsel, in what ways has the Federal Circuit
12 recognized that, that it's not equivalent?

13 DR. ELLISON: So I'm saying the Federal
14 Circuit has recognized that the purpose of the
15 estoppel provision is to apply principles of
16 collateral estoppel and res judicata to situations
17 exactly like this. They said that in the Arthrex
18 case. That was the point I was making in
19 reference --

20 JUDGE DERRICK: Okay. I just, again,
21 misheard you. I thought you were saying there was
22 something specifically on point, that a file -- an

1 IDS filing or notification to the office was not
2 equivalent -- or a case where there was res judicata
3 or estoppel.

4 DR. ELLISON: I apologize. Perhaps my --
5 perhaps my sentences ran together.

6 JUDGE DERRICK: I may have not heard it
7 right either, so just wanted to make clear.

8 DR. ELLISON: Okay. Thank you. Thank you,
9 your Honor.

10 MR. RABINOWITZ: Your Honor, if I may --

11 DR. ELLISON: I actually wasn't quite -- I
12 wasn't quite finished. I wasn't quite finished.

13 The other point I was continuing to make was
14 that if you allow patent owners to do what is
15 occurring here, a patent owner will cancel claims
16 and pursue claims that are patentably indistinct in
17 its ex parte prosecution. And I'm not going to get
18 into the merits of that here, but that is the
19 consequence of what can happen. And, accordingly,
20 petitioners will then need to file serial petitions,
21 each time go through the cycle, because patent owner
22 estoppel has not been applied against those claims.

1 And so that would be a very inefficient process, an
2 inefficient result that can be avoided, we believe,
3 by proper application of patent owner estoppel here.

4 And as the Federal Circuit has explained,
5 there's no meaningful distinction between patent
6 owner disclaiming claims pre-institution versus
7 post-institution for purposes of estoppel. Thank
8 you.

9 JUDGE DERRICK: Thank you.

10 Patent owner? Mr. Rabinowitz?

11 MR. RABINOWITZ: Your Honor, let me just
12 respond briefly. I'll point out the board has
13 adhered to the precedent of General Electric in
14 denying institution and declining to enter adverse
15 judgment even where the petitioner argued that the
16 board should grant an adverse judgment because of
17 the existence of a later-filed application with
18 claims that, quote, mirror those that were
19 disclaimed. This is in the subsequent paper in the
20 Select Sires PGR that I quoted. This is Select
21 Sires PGR2022-00019 and 20, Paper 13, dated
22 October 25, 2022, when the board denied the

1 petitioner's request for rehearing when the
2 petitioner raise the exactly this argument. The
3 board still adhered to the precedent in General
4 Electric, declined to enter adverse judgment, as it
5 should do here.

6 DR. ELLISON: Respectfully, neither GE nor
7 Select Sires says that adverse judgment is
8 inappropriate. GE is directed to a different issue.

9 Thank you, your Honor.

10 JUDGE DERRICK: Okay. I'm going to put you
11 on hold for a moment, a few minutes perhaps.

12 DR. ELLISON: Thank you, your Honor.

13 JUDGE DERRICK: Thank you.

14 (A short break was had.)

15 JUDGE DERRICK: Okay. This is Judge Derrick
16 again. Thank you for waiting. I'm back on with
17 Judge Wisz.

18 The session today has been helpful, thanks
19 to both of you -- or all of you. We are not going
20 to decide whether a motion is authorized at this
21 time. An order regarding petitioner's request for
22 authorization will issue in due course.

1 Again, I want to reiterate the transcript
2 should be filed as soon as it's available.

3 Is there anything further from petitioner?

4 DR. ELLISON: Not from us, your Honor.
5 Thank you very much.

6 JUDGE DERRICK: Anything further from patent
7 owner?

8 MR. RABINOWITZ: Nothing further from patent
9 owner. Thank you, your Honor.

10 JUDGE DERRICK: All right. Thank you both.
11 This call is adjourned.

12 DR. ELLISON: Thank you.

13 (Off the record at 10:29 a.m. CST.)

14

15

16

17

18

19

20

21

22

1 CERTIFICATE OF SHORTHAND REPORTER-NOTARY PUBLIC

2
3 I, Tiffany M. Pietrzyk, CSR RPR CRR, the
4 officer before whom the foregoing telephonic meeting
5 was had, do hereby certify that the foregoing
6 transcript is a true and correct record of the
7 telephonic meeting; that said meeting was taken by
8 me stenographically and thereafter reduced to
9 typewriting under my direction; and that I am
10 neither counsel for, related to, nor employed by any
11 of the parties to this case and have no interest,
12 financial or otherwise, in its outcome.

13
14 IN WITNESS WHEREOF, I have hereunto set my
15 hand and affixed my notarial seal this 19th of
16 April, 2023.

17
18 
19 _____

20 My commission expires:

21 February 28th, 2024
22

Transcript of Telephone Conference
Conducted on April 19, 2023

28

A			
abided 20:11 able 19:5 about 8:19, 11:13, 11:22, 22:9 abs 19:18 absolutely 12:2 abundantly 10:4 accompanied 16:12 accordance 9:18 accordingly 23:19 acknowledging 11:19 actually 19:22, 23:11 address 7:4, 9:1, 9:12, 11:9, 15:2, 15:9 adequately 15:2 adhered 24:13, 25:3 adjourned 26:11 adopted 20:9 adverse 6:13, 6:16, 9:13, 10:3, 11:9, 11:11, 12:6, 12:17, 12:18, 13:5, 13:14, 14:11, 15:14, 16:3, 16:4, 16:13, 16:16, 17:22, 18:2, 18:5, 19:2, 19:9,	20:2, 20:4, 20:8, 20:11, 20:18, 20:22, 21:10, 24:14, 24:16, 25:4, 25:7 affixed 27:15 after 10:17, 10:21, 13:15, 14:4, 18:19, 19:2 again 8:9, 15:11, 22:20, 25:16, 26:1 against 14:16, 23:22 agree 10:9 aia 11:15 aligns 12:6 all 7:7, 7:13, 10:9, 11:9, 11:18, 12:1, 13:15, 13:21, 18:20, 19:3, 19:10, 21:4, 21:6, 25:19, 26:10 allow 12:11, 22:4, 23:14 allowed 13:20 allows 13:6 also 6:13, 7:3, 9:4, 11:2, 19:6, 19:19 amsterdam 3:17, 6:7 analysis 15:20	analyzing 17:7 any 7:4, 7:9, 7:18, 9:3, 12:22, 14:15, 14:21, 19:5, 21:13, 27:10 anyone 8:11 anything 21:11, 26:3, 26:6 apologize 8:9, 18:15, 23:4 appeal 1:2 appears 7:7 applicable 12:2, 13:19 application 24:3, 24:17 applications 11:21, 12:14, 12:21, 21:2 applied 11:3, 12:2, 23:22 apply 10:12, 10:22, 21:21, 22:6, 22:15 appreciate 7:12 apprised 21:6 appropriate 16:11 april 1:15, 27:16 argued 24:15 argument 25:2 arguments 14:16, 21:7	around 11:15 art 21:5, 21:19 arthrex 9:7, 9:18, 10:5, 13:4, 13:7, 13:12, 13:18, 16:5, 16:9, 17:3, 18:4, 20:1, 20:7, 22:17 asking 9:15 assuming 5:20 attention 18:11 austria 1:7, 5:8 authority 22:8 authorization 6:9, 25:22 authorize 6:22 authorized 7:9, 7:18, 12:17, 25:20 available 6:1, 26:2 avenue 3:11, 3:19 avoid 12:12, 13:21 avoided 24:2 away 14:13 B b 10:9, 14:5, 20:7 back 25:16 background 8:6, 8:20

Transcript of Telephone Conference
Conducted on April 19, 2023

29

basis 13:3 because 11:17, 18:18, 20:3, 23:21, 24:16 becomes 6:1 been 13:16, 23:22, 25:18 before 1:2, 2:1, 5:10, 7:3, 8:14, 10:16, 13:16, 14:3, 15:7, 18:6, 27:4 behalf 3:2, 3:6, 3:15, 6:6, 17:19 being 16:17 believe 8:16, 24:2 between 10:15, 14:1, 24:5 bit 8:20 board 1:2, 6:18, 9:3, 9:5, 12:17, 13:4, 13:6, 13:13, 15:9, 18:4, 18:19, 18:22, 19:6, 20:8, 20:9, 20:16, 21:9, 24:12, 24:16, 24:22, 25:3 board's 20:20 both 14:8, 17:8, 25:19, 26:10 break 25:14 brief 19:8	briefing 7:9, 20:4, 21:8 briefly 15:16, 24:12 broadening 15:19, 16:1 C call 5:6, 5:11, 7:22, 26:11 cancel 12:12, 23:15 canceled 10:16, 10:17 canceling 12:13, 13:21 cancels 13:15, 14:6 cannot 14:13 case 1:10, 7:11, 9:6, 9:7, 9:8, 9:10, 9:11, 9:16, 9:18, 10:5, 10:6, 11:4, 11:10, 12:19, 15:9, 15:11, 15:13, 15:14, 15:15, 15:17, 16:5, 16:8, 16:9, 16:17, 17:4, 17:10, 17:11, 17:13, 17:14, 20:2, 20:13, 22:18, 23:2, 27:11 cases 9:18, 10:1, 11:4, 11:5, 11:7 certificate 27:1 certified 2:2, 2:3 certify 27:5	cfr 20:7 challenged 6:11, 7:7, 12:5, 18:20, 19:3, 19:10, 20:15 christopher 3:9, 5:16 circuit 9:8, 10:4, 10:8, 10:13, 10:22, 11:3, 12:4, 17:3, 17:7, 17:14, 22:7, 22:11, 22:14, 24:4 circuit's 18:3, 20:6 circumstance 13:17 circumstances 10:11 circumvent 14:19 citation 9:9, 18:11, 20:6 cite 11:10 cited 11:8, 21:5 cites 6:17, 15:15 claim 14:10 claims 6:12, 7:7, 10:15, 10:17, 10:21, 11:18, 11:19, 11:22, 12:6, 12:12, 12:13, 12:14, 12:20, 13:15, 13:22, 14:2, 14:7, 14:14, 14:21, 15:1, 15:18, 15:21, 15:22, 16:15, 18:21, 19:3, 19:10, 20:15, 21:7, 21:22, 22:2, 23:15, 23:16, 23:22, 24:6, 24:18 clear 10:5, 17:3, 18:18, 20:14, 20:21, 21:8, 23:7 collateral 12:10, 22:5, 22:16 colleague 6:7 colleagues 5:16 coming 8:21 comment 7:12 commission 27:20 compels 20:1 complete 14:22 completed 7:10 completely 17:12 complying 21:19 conference 1:14, 2:1, 5:6 consequence 20:18, 23:19 consequences 22:9 consistently 18:22, 20:11 constraint 7:8 construing 12:5 continuation 11:20, 12:14,
---	---	---

Transcript of Telephone Conference
Conducted on April 19, 2023

30

12:21, 14:19 continuing 14:20, 21:2, 23:13 contrary 19:5 controlling 9:10, 16:5, 16:8, 17:14, 22:7 copy 5:20 correct 5:19, 27:6 correctly 5:9 could 7:12, 13:2, 19:11, 20:18 counsel 5:12, 22:10, 22:11, 27:10 course 9:7, 9:9, 20:5, 25:22 court 5:18, 20:7 crr 1:22, 27:3 csr 1:22, 27:3 cst 1:16, 26:13 cycle 23:21	decided 16:8 deciding 20:14 decision 6:18, 6:19, 7:5, 7:11, 13:11, 13:16, 15:10, 18:3, 18:4, 18:7, 18:12, 20:6 decisions 9:19 declaration 21:4 decline 21:10 declined 25:4 declining 19:1, 24:14 defense 14:15, 14:22 define 10:11 denied 24:22 deny 19:7, 21:9 denying 19:1, 20:10, 24:14 derrick 3:3, 5:2, 5:17, 5:22, 6:8, 7:19, 7:22, 8:4, 8:8, 8:9, 8:13, 8:18, 13:2, 13:9, 15:4, 16:18, 17:1, 17:16, 18:14, 18:16, 21:11, 21:16, 22:10, 22:20, 23:6, 24:9, 25:10, 25:13, 25:15, 26:6, 26:10 determined 15:22, 20:3	difference 14:1 different 16:2, 16:7, 25:8 difficulty 8:10 directed 25:8 direction 27:9 disclaim 14:10, 20:14, 20:17 disclaimed 7:7, 10:20, 11:18, 16:14, 24:19 disclaimer 6:11, 10:2, 10:6, 11:1, 12:5, 14:1, 18:20, 19:3, 19:10 disclaiming 24:6 disclaims 14:7 disclosure 21:20 discretion 18:19 disposition 6:10 dispute 10:20 disputing 9:16 distinct 22:1 distinction 10:15, 24:5 distinguishable 15:16 distortion 6:16 doctrines 12:9	doing 7:3, 19:6 done 14:3 dr 5:13, 5:19, 7:15, 7:20, 8:1, 8:3, 8:5, 8:12, 8:15, 8:19, 13:7, 13:12, 15:11, 16:21, 17:2, 21:14, 21:17, 22:13, 23:4, 23:8, 23:11, 25:6, 25:12, 26:4, 26:12 draw 18:10 drop 8:13 due 7:10, 25:22 duty 21:20 E each 23:21 earlier 11:6 effects 12:12 efficiency 20:16 either 23:7 eldora 3:7, 5:14, 8:16 electric 6:19, 18:8, 18:12, 18:21, 19:7, 19:12, 19:13, 20:12, 20:22, 24:13, 25:4 ellison 3:7, 5:13,
D date 7:10 dated 19:14, 19:16, 19:19, 24:21 dc 3:12 december 19:14 decide 9:5, 25:20			

Transcript of Telephone Conference
Conducted on April 19, 2023

31

5:14, 5:19, 7:15, 7:20, 8:1, 8:5, 8:12, 8:15, 8:16, 8:19, 13:7, 13:12, 15:11, 16:21, 17:2, 21:14, 21:17, 22:13, 23:4, 23:8, 23:11, 25:6, 25:12, 26:4, 26:12 email 18:2, 18:11 embodied 12:9 employed 27:10 end 11:14 ensuring 11:16 enter 12:17, 12:18, 13:4, 13:14, 17:5, 19:2, 20:8, 21:10, 24:14, 25:4 entered 9:13, 16:3, 16:4, 20:19 entering 6:15, 20:10 entertain 17:22 entire 8:17 entry 15:13, 20:2 equally 13:19 equitable 11:22 equivalent 22:12, 23:2 esquire 3:7, 3:8, 3:9, 3:16, 3:17	essentially 11:18, 14:14 estoppel 10:11, 10:22, 12:1, 12:7, 12:10, 21:21, 22:3, 22:5, 22:15, 22:16, 23:3, 23:22, 24:3, 24:7 even 9:5, 11:1, 24:15 ever 18:21, 20:12 everybody 5:11 evidence 21:6 ex 14:21, 23:17 exactly 13:17, 14:11, 22:17, 25:2 examiner 21:21 examines 21:7 example 9:20, 19:18 examples 19:11, 19:21 excuse 11:4, 15:18 exercise 18:19 existed 15:22 existence 24:17 expand 13:3 expert 21:4 expires 27:20 explain 14:5	explained 11:1, 17:7, 24:4 explains 10:8, 10:13, 14:6 F fact 16:14 favor 9:5 fd 9:9 february 27:21 federal 9:8, 10:4, 10:8, 10:13, 10:22, 11:3, 12:4, 17:3, 17:7, 17:14, 18:3, 20:6, 22:7, 22:11, 22:13, 24:4 few 25:11 file 6:1, 7:17, 9:2, 22:22, 23:20 filed 11:20, 13:16, 21:2, 26:2 filing 9:6, 23:1 filings 21:19 final 16:22 finality 12:8 financial 27:12 find 19:5 finding 16:12, 16:15 finished 23:12	first 9:1, 19:12, 20:21, 21:18 floor 3:19 follow 18:22 following 19:9 footnote 19:17, 19:20 foregoing 27:4, 27:5 forth 6:21, 13:18 fox 3:10, 5:15 front 11:18 full 9:8 fully 21:6 further 20:3, 21:11, 21:12, 26:3, 26:6, 26:8 G gallo 3:9, 5:16 ge 9:11, 11:10, 15:9, 15:11, 15:13, 15:14, 16:6, 16:16, 25:6, 25:8 general 6:19, 18:7, 18:8, 18:12, 18:21, 19:7, 19:12, 19:13, 20:12, 20:21, 24:13, 25:3 give 9:8, 9:21, 19:11 global 19:18
---	---	--	--

Transcript of Telephone Conference
Conducted on April 19, 2023

32

gmbh 1:7, 5:8 go 23:21 going 16:21, 23:17, 25:10, 25:19 goldstein 3:10, 5:15 gonna 13:10 good 5:13, 6:4, 8:15 google 9:20, 11:5, 18:5, 19:15, 19:21 governing 18:18 grant 24:16 granted 18:5 granting 20:22 greenfield 3:18, 6:5 guess 15:6	8:1, 8:7, 8:8 helpful 25:18 here 5:6, 5:18, 8:10, 10:10, 10:20, 11:14, 11:17, 12:2, 12:3, 13:17, 13:19, 14:7, 16:10, 16:16, 17:5, 17:12, 23:15, 23:18, 24:3, 25:5 hereby 27:5 hereunto 27:14 hi 8:8 high-quality 11:16 hold 25:11 honor 5:13, 5:19, 6:4, 7:15, 7:21, 8:5, 8:15, 9:1, 15:3, 16:22, 17:15, 17:18, 18:10, 19:22, 20:5, 21:15, 23:9, 23:10, 24:11, 25:9, 25:12, 26:4, 26:9 honors 21:13 hope 5:8 however 9:17	identify 5:11 ids 21:2, 21:19, 23:1 illinois 2:5 impact 13:21 impermissible 15:14 inappropriate 11:12, 25:8 inc 1:4, 19:18, 19:19 includes 17:8 including 9:19, 17:14 inconsistent 16:16 incorporated 5:7 increase 20:19 indeed 16:1, 16:4 indefensible 11:20 indistinct 12:14, 12:20, 15:1, 23:16 inefficient 14:17, 24:1, 24:2 instance 10:1 instances 19:4 instituted 9:14, 9:15, 10:16, 10:18, 15:13, 17:5 institution 7:11, 10:21, 13:6, 13:16, 14:3, 14:4,	19:1, 20:10, 20:17, 21:9, 24:14 integrity 12:16 inter 15:12 interest 27:11 interrupt 13:8 ipr 1:10, 5:7, 6:20, 9:20, 9:21, 9:22, 10:16, 10:17, 11:6, 12:12, 13:15, 13:21, 14:2, 14:20, 16:11, 18:13, 19:13, 19:14, 21:19, 22:3 issue 7:5, 7:16, 9:4, 9:13, 11:9, 13:4, 13:15, 15:17, 16:2, 16:7, 17:22, 19:8, 20:4, 25:8, 25:22 issued 11:16, 18:6 itself 13:12
H			J
hand 27:15 happen 23:19 hear 7:13, 7:20, 7:21, 8:1, 8:2, 8:3, 8:4, 8:6, 8:10, 8:20, 16:18, 17:17 heard 8:16, 8:19, 23:6 held 20:7 hello 7:19, 7:21,	identical 11:21 identified 19:4, 20:5		jamie 3:4 jenam 19:15 job 1:19 john 3:17, 6:7 join 5:4 judge 3:3, 3:4, 5:2,

Transcript of Telephone Conference
Conducted on April 19, 2023

33

5:3, 5:17, 5:22, 6:8, 7:19, 7:22, 8:4, 8:8, 8:13, 8:18, 13:2, 13:9, 15:4, 16:18, 17:1, 17:16, 18:14, 18:16, 21:11, 21:16, 22:10, 22:20, 23:6, 24:9, 25:10, 25:13, 25:15, 25:17, 26:6, 26:10 judgment 6:13, 6:16, 9:13, 10:3, 11:9, 11:11, 12:6, 12:18, 13:5, 13:14, 14:11, 15:14, 16:3, 16:4, 16:13, 16:16, 17:5, 17:6, 17:22, 18:3, 18:6, 19:2, 20:2, 20:4, 20:8, 20:11, 20:18, 20:22, 21:10, 24:15, 24:16, 25:4, 25:7 judgments 19:9 judicata 12:10, 22:6, 22:16, 23:2 june 19:20	laid 18:1 later 14:14 later-filed 24:17 law 9:10, 16:5, 16:8, 17:13, 17:14, 22:4 leave 19:8 legal 16:7 let's 5:11, 7:13, 16:18, 17:17 line 5:3, 5:15, 6:2, 17:12 llc 19:15, 19:16, 19:22 look 11:7 lose 7:22	maybe 13:2 mean 13:8, 13:12 meaningful 10:15, 13:22, 24:5 means 14:8, 17:6 meeting 27:4, 27:7 member 5:4 mention 15:16 mentions 9:11 merely 21:19 merits 23:18 mind 14:12 minutes 25:11 mirror 24:18 misheard 22:21 moment 25:11 morning 5:13, 6:4, 8:15 motion 6:10, 7:1, 7:17, 9:3, 9:6, 17:22, 18:17, 25:20 much 26:5 muddy 20:21	nearly 11:21 necessary 20:4, 21:9 need 7:10, 23:20 needlessly 20:19 neither 25:6, 27:10 nephew 9:7, 10:5, 11:4, 16:9, 17:4 networks 9:20, 11:5, 18:5 never 15:21 new 3:11, 3:20 noise 8:6, 8:20 nonprecedential 18:4 notarial 27:15 notary 2:4 note 6:17, 19:3 nothing 20:1, 21:12, 26:8 notification 23:1 noting 20:1 november 19:17 number 9:21, 9:22 nw 3:11
K	M	N	O
keep 14:18 kessler 3:10, 5:14 know 17:9	made 10:4, 17:3, 18:8, 18:21, 19:22, 20:12 majority 11:8 make 16:21, 17:2, 23:7, 23:13 makes 19:22 making 21:3, 22:18 many 9:18, 9:22 march 18:2 matter 7:6, 10:6	namely 12:8 names 5:9	obtaining 12:20 occurring 23:15
L			
lack 14:15, 14:22			

Transcript of Telephone Conference
Conducted on April 19, 2023

34

occurs 10:7, 11:2 october 24:22 office 1:1, 11:17, 21:5, 23:1 officer 27:4 okay 5:17, 5:22, 6:8, 8:12, 8:18, 13:9, 16:18, 17:1, 22:20, 23:8, 25:10, 25:15 olga 3:8, 5:16 one 9:21, 16:21 one's 21:20 only 7:8, 12:17 operation 16:14 order 17:5, 25:21 original 15:17, 15:21 other 9:19, 10:1, 16:15, 17:9, 23:13 otherwise 27:12 out 18:1, 21:1, 24:12 outcome 27:12 over 22:1 owner 1:8, 3:15, 6:3, 6:6, 6:14, 6:17, 7:1, 7:6, 9:11, 10:20, 10:21,	11:8, 11:14, 12:11, 12:19, 13:14, 13:20, 14:6, 14:13, 14:18, 15:7, 16:13, 16:19, 17:17, 17:20, 21:21, 21:22, 23:15, 23:21, 24:3, 24:6, 24:10, 26:7, 26:9 owner's 6:11, 9:16, 10:2 owners 20:16, 23:14 P page 4:2, 13:11, 19:15, 19:17, 19:20 pages 1:20 panel 3:2, 5:4, 20:3, 20:20 paper 6:20, 9:22, 19:14, 19:16, 19:19, 24:19, 24:21 part 8:19, 13:10, 17:10, 17:11, 22:2 parte 14:21, 23:17 partes 15:12 particular 7:6 parties 5:9, 7:4, 27:11 partington 3:8, 5:16, 8:3 patent 1:1, 1:2, 1:8,	1:11, 3:15, 6:2, 6:6, 6:10, 6:14, 6:17, 7:1, 7:6, 9:11, 9:16, 10:2, 10:20, 10:21, 11:8, 11:14, 11:17, 12:11, 12:16, 12:19, 13:14, 13:20, 14:2, 14:6, 14:7, 14:12, 14:18, 15:7, 15:18, 16:12, 16:19, 17:17, 17:20, 20:16, 21:21, 21:22, 23:14, 23:15, 23:21, 24:3, 24:5, 24:10, 26:6, 26:8 patentably 12:13, 12:20, 15:1, 22:1, 23:16 patents 11:16 pause 12:22 pending 14:19, 21:7 people 7:12 perhaps 23:4, 23:5, 25:11 permissive 13:5 permits 13:13, 20:8 petition 14:3, 14:17, 21:3 petitioner 1:5, 3:6, 5:12, 6:9, 6:21, 7:14, 24:15, 25:2, 26:3	petitioner's 19:8, 25:1, 25:21 petitioners 23:20 petitions 23:20 pgr 19:16, 19:19, 24:20, 24:21 ph 3:7, 3:8, 3:9, 3:17 pietrzyk 1:22, 2:2, 27:3 please 5:22, 21:16 point 16:22, 19:22, 21:1, 22:18, 22:22, 23:13, 24:12 pointed 11:6 policies 12:7, 12:8 pollock 5:3 position 6:14, 6:22, 13:3, 15:5, 18:1 post-institution 10:7, 14:9, 17:11, 24:7 practice 20:10, 20:12 pre-institution 10:7, 11:2, 13:22, 14:9, 17:10, 18:20, 19:2, 19:9, 24:6 precedent 18:18, 19:1, 19:7, 20:14, 20:15, 20:21, 21:8, 24:13, 25:3 precedential 6:18, 9:12,
---	--	--	--

Transcript of Telephone Conference
Conducted on April 19, 2023

35

15:9, 16:6, 16:17, 18:7, 18:9, 18:12, 18:22, 20:9, 20:13 preclude 12:19 preliminary 17:9 prepared 7:17, 9:2 principles 12:1, 22:5, 22:15 prior 7:10, 13:6, 20:17, 21:5 probably 13:10, 13:11 problem 18:16 proceeding 6:12, 10:16, 10:17, 14:8, 14:13, 14:20, 17:6, 17:8, 17:9, 22:3 proceedings 4:2, 6:15 process 12:16, 14:18, 24:1 professional 2:3 pronounced 5:8 proper 24:3 propose 15:8 proposing 17:12 prosecution 23:17 provision 22:15 provisions 10:12, 12:7,	22:4 ptab 3:2, 9:19, 10:1, 11:2 public 2:4, 27:1 purpose 10:8, 10:10, 10:14, 15:20, 22:14 purposes 24:7 pursue 14:14, 14:21, 23:16 pursuing 11:21, 12:13, 22:1 put 12:10, 22:4, 25:10 Q question 9:2, 15:2, 15:6 questions 13:1, 21:13 quite 8:20, 12:10, 15:15, 23:11, 23:12 quote 13:13, 20:1, 24:18 quoted 24:20 quoting 10:14 R rabinowitz 3:16, 6:4, 6:5, 17:18, 17:19, 18:15, 18:17, 21:12, 23:10, 24:10, 24:11, 26:8 raise 25:2	raised 14:16 ran 23:5 rationale 11:3, 13:18, 13:19 realize 16:6 really 11:13, 11:14, 14:1, 16:2 realtime 2:3 reason 22:3 reasonable 9:3 reasons 12:1, 12:15 recognized 12:4, 22:8, 22:12, 22:14 record 21:3, 26:13, 27:6 reduced 27:8 reference 22:19 regard 7:5 regarding 7:16, 9:2, 21:18, 25:21 registered 2:2 rehearing 25:1 reissue 15:19, 16:1 reiterate 26:1 related 27:10 relevant 10:10, 13:10, 20:5	relied 19:7, 20:13 reluctant 20:17 relying 18:3 repeatedly 19:6 repercussions 14:15, 14:21 reported 1:21 reporter 2:2, 2:3, 5:18 reporter-notary 27:1 repose 12:9 request 6:13, 9:16, 10:3, 12:6, 14:11, 19:8, 25:1, 25:21 requested 6:22, 18:2 requests 9:4 requires 13:4 res 12:9, 22:5, 22:16, 23:2 respectfully 25:6 respond 21:14, 24:12 response 7:2 responsible 5:18 result 14:17, 24:2 review 15:12 right 23:7, 26:10 rpr 1:22, 27:3
---	--	---	---

Transcript of Telephone Conference
Conducted on April 19, 2023

36

rule 10:9, 10:10, 13:13, 14:5, 14:6, 16:15, 17:8 rules 12:8, 14:5, 17:13 run 11:15	serial 23:20 serves 20:15 session 25:18 set 6:10, 6:21, 13:18, 27:14 seven 9:20, 11:5, 18:5 short 25:14 shorthand 2:2, 27:1 should 6:12, 6:15, 6:22, 10:2, 12:2, 12:18, 13:20, 14:10, 20:20, 21:9, 24:16, 25:5, 26:2 show 21:22 signature-lapgj 27:18 simply 9:14, 12:10, 12:20, 13:5, 13:20, 14:13, 15:12 since 18:21, 20:12 sir 8:5 sires 19:18, 24:20, 24:21, 25:7 situations 22:6, 22:16 smith 9:7, 10:5, 11:4, 16:9, 17:4 some 8:6 something 22:22	sometime 7:10 soon 6:1, 26:2 sorry 7:20, 8:4, 13:7, 16:20 specifically 22:22 spiel 8:14, 8:17 start 5:12, 7:16 started 5:10 state 2:4 states 1:1, 9:14 statute 17:13 statutory 6:11, 10:2, 11:15, 12:5, 14:12 stenographically 1:21, 27:8 stephen 3:16, 6:5, 17:19 sterne 3:10, 5:14 still 16:2, 25:3 subject 16:13 submission 21:18 submit 5:20, 9:4, 12:16, 16:10, 17:21, 20:20 submitting 21:3 subsequent 19:13, 24:19 suite 3:11	support 6:18 supporting 21:4 sure 8:21 surrender 14:2, 14:22 surrendered 22:2
S			T
sacks 3:18, 6:6 said 8:11, 22:17, 27:7 same 11:1, 11:3, 13:19, 14:14, 21:20 say 11:11, 13:10, 15:13 saying 22:13, 22:21 says 13:13, 15:12, 25:7 scheme 11:15, 14:12 seal 27:15 second 15:6, 19:15, 19:21 see 12:22 seeks 6:9 seems 10:14 select 19:18, 24:20, 25:7 sentences 23:5 september 18:6			take 11:7 takeda 1:4, 5:7, 5:12, 18:1, 19:4, 21:5 takeda's 21:3, 21:4, 21:6 taken 27:7 taking 6:14 technical 6:16, 8:10 technologies 6:19, 19:12 technology 19:16 telephonic 1:14, 2:1, 27:4, 27:7 terminated 6:15, 9:17 termination 16:10, 16:11, 17:6 th 3:19, 18:2, 27:15, 27:21 thank 5:17, 6:8, 7:15, 8:21, 17:15, 17:16, 17:18, 21:17, 23:8, 24:7, 24:9, 25:9,

Transcript of Telephone Conference
Conducted on April 19, 2023

37

25:12, 25:13, 25:16, 26:5, 26:9, 26:10, 26:12 thanks 25:18 themselves 5:11 thereafter 27:8 thing 21:20 think 10:9, 10:19, 11:13, 11:22, 13:7, 13:10, 22:9 third 3:19, 19:18 thought 22:21 three 19:11 through 8:14, 23:21 tiffany 1:22, 2:1, 27:3 time 9:3, 17:21, 23:21, 25:21 timing 7:5, 7:8, 7:16, 7:17, 8:19, 9:2 today 5:3, 5:5, 25:18 together 23:5 trademark 1:1 transcript 5:20, 26:1, 27:6 treated 6:12, 10:3, 14:10, 15:20, 15:21 trial 1:2, 9:14,	9:15, 9:17, 10:21, 17:4, 17:9 true 11:1, 27:6 trying 11:14 turn 7:1, 15:7 typewriting 27:9 typing 8:21 typo 18:11 U unable 5:4 under 16:15, 27:9 underlying 12:7 understand 6:9, 6:13, 8:13, 15:4, 15:5 unfair 12:11 united 1:1, 6:19, 19:12 unless 21:13 unnecessary 18:17 V vaccines 1:4, 5:7, 5:12 valneva 1:7, 5:8, 6:6, 17:20, 20:13, 21:2 van 3:17, 6:7 vast 11:8 vectra 15:15	versus 24:6 vs 1:6, 5:7, 9:7, 9:20, 17:3, 18:5, 19:12, 19:15, 19:18 W waiting 25:16 wake 14:2 walk 14:13 want 18:10, 26:1 wanted 23:7 washington 3:12 waste 17:21 way 8:7, 16:13, 22:10 ways 22:11 we'll 7:1 we're 9:15, 9:16 wednesday 1:15 wesley 3:3 whereof 27:14 whether 7:4, 9:13, 10:6, 14:3, 15:17, 15:18, 16:2, 25:20 whole 11:15 wisz 3:4, 5:3, 25:17 without 6:15, 9:5,	14:15, 14:21, 20:16 witness 27:14 wolf 3:18, 6:5 words 16:15, 17:10 workload 20:20 Y yeah 5:22, 13:2 york 3:11, 3:20 . .2600 3:13 .3 9:9 .3356 3:21 0 00019 24:21 00082 19:16 0019 19:19 0020 19:19 00354 1:10, 5:7 00491 6:20, 18:13 01 1:16 01104 9:22, 11:6 01489 19:14 1 10 1:16, 9:22,
--	---	---	---

Transcript of Telephone Conference
Conducted on April 19, 2023

38

19:14, 19:19, 26:13 10158 3:20 11 19:14 11,219,681 1:11 1100 3:11 13 24:21 1345 9:9 1350 13:11 17 19:17 19 1:15, 27:15 2 20 24:21 20005 3:12 2012 6:20 2017 18:13 2018 9:22, 11:6 2019 18:6, 19:14 202.371 3:13 2021 19:16, 19:17 2022 19:19, 19:20, 24:21, 24:22 2023 1:10, 1:15, 5:7, 27:16 2024 27:21 212.849 3:21	24 18:2 25 3:19, 24:22 27 1:20 28 19:20, 27:21 29 26:13 3 37 20:7 4 42.73 10:9, 13:13, 14:5, 14:6, 16:15, 17:8, 20:7 489274 1:19 6 600 3:11 605 3:19 8 880 9:9	
---	---	--