

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APOTEX CORP.,
Petitioner

v.

ALCON RESEARCH, LTD.,
Patent Owner.

Case IPR2013-00428
U.S. Patent No. 8,268,299 B2

**ALCON RESEARCH, LTD.’S LIST OF ANTICIPATED PROPOSED
MOTIONS**

Pursuant to 77 Fed. Reg. 48,756, 48,765–66 (Aug. 14, 2012), in advance of the initial conference call with the Board scheduled for Monday, February 3, at 2:00 p.m. EST, Patent Owner Alcon Research, Ltd. (“Alcon”) submits the following list of motions that Alcon has filed or currently is considering filing in this matter.

A. Contingent Motion To Amend Under 37 C.F.R. § 42.121

Alcon may file a contingent motion to amend one or more of the challenged claims of the ’941 patent. Any such motion would respond to the grounds of

unpatentability alleged in this trial and would not seek to enlarge the scope of the claims of the patent or to introduce new subject matter. In addition, while Alcon has not yet determined whether it will file a motion to amend, Alcon would like to discuss whether the claim listing required by 37 C.F.R. § 42.121(b) would be counted against the 15-page limit for a motion, or whether the claim listing may be submitted as an attachment to the motion. If the claim listing is counted against the 15-page limit, Alcon requests that the page limit be increased from 15 to 25 pages.

B. Motion for *Pro Hac Vice* Admission of Adam L. Perlman

Alcon has filed a motion requesting *pro hac vice* admission of Adam L. Perlman. The motion is currently pending; no opposition has been filed.

Dated: January 30, 2014

Respectfully submitted,

/Stanley E. Fisher/

Stanley E. Fisher

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CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e))

The undersigned hereby certifies that the foregoing “ALCON RESEARCH, LTD.’S LIST OF ANTICIPATED PROPOSED MOTIONS” was served on January 30, 2014, by filing this document through the Patent Review Processing System as well as delivering a copy via electronic mail upon the following attorneys of record for the Petitioner:

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