

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

NOTICE OF JOINT STIPULATION TO EXTEND DUE DATES 2-3

Pursuant to the January 2, 2014 Scheduling Order (Paper 10), and further to the Notice of Joint Stipulation to Extend Due Dates 1-3 of February 3, 2014, petitioner Apotex Corp, (“Apotex”) hereby provides notice that Alcon Research, Ltd. (“Alcon”) and Apotex have agreed to extend Due Dates 2–3, as follows:

DUE DATE 1 ~~March 24, 2014~~
March 27, 2014

Patent owner’s response to the petition

Patent owner’s motion to amend the patent

DUE DATE 2 ~~June 16, 2014~~
~~June 19, 2014~~
July 31, 2014

Petitioner’s reply to patent owner response to petition

Petitioner’s opposition to motion to amend

DUE DATE 3 ~~July 14, 2014~~
~~July 17, 2014~~
August 1, 2014

Patent owner’s reply to petitioner opposition to motion to amend

In accordance with the Scheduling Order, Due Dates 4–7 remain as follows:

DUE DATE 4 August 4, 2014

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

Petitioner's motion for observation regarding
cross-examination of reply witness

Motion to exclude evidence

Request for oral argument

DUE DATE 5 August 18, 2014

Patent owner's response to observation

Opposition to motion to exclude

DUE DATE 6 August 25, 2014

Reply to opposition to motion to exclude

DUE DATE 7 September 17, 2014

Oral argument (if requested)

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

Additionally, in light of the adjustments to the schedule, Petitioner and Patent Owner have jointly agreed to postpone the depositions of Patent Owner's witnesses Noticed to the Board in Papers filed May 1, 2014.

Respectfully submitted,

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

/Eldora L. Ellison/

Eldora L. Ellison, Ph.D. (Reg. No. 39,967)
Lead Attorney for Petitioner Apotex Corp.

Date: May 13, 2014

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

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

The undersigned hereby certifies that a copy of the foregoing “Notice of Joint Stipulation to Extend Due Dates 2-3” was served in its entirety on May 13, 2014, via email upon the following counsel of record for the Patent Owner:

Stanley E. Fisher	sfisher@wc.com
David M. Krinsky	dkrinsky@wc.com
Adam L. Perlman	aperlman@wc.com
Barry L. Copeland	barry.copeland@alcon.com patent.docketing@alcon.com

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

Date: May 13, 2014

1100 New York Avenue, N.W.
Washington, D.C.20005-3934
(202) 371-2600
1850814

/Eldora L. Ellison/
Eldora L. Ellison, Ph.D.
Lead Attorney for Petitioner Apotex Corp.
Registration No. 39,967