

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 MODIFY DUE DATES 2, 4 & 5

Pursuant to the January 2, 2014 Scheduling Order (Paper 10), the Notice of Joint Stipulation to Extend Due Dates 1-3 of February 3, 2014, and the Notice of Joint Stipulation to Extend Due Dates 2-3 of May 13, 2014, petitioner Apotex Corp, (“Apotex”) hereby provides notice that Alcon Research, Ltd. (“Alcon”) and Apotex have agreed to modify Due Dates 2, 4 and 5 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
July 25, 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 Board's email of June 20, 2014, any Request for Oral Argument will remain due on August 4, 2014. Otherwise, pursuant to the Board's email authorization of June 20, 2014, Due Dates 4 and 5 are modified as follows:

DUE DATE 4 ~~August 4, 2014~~
August 14, 2014

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

Motion to exclude evidence

DUE DATE 5 ~~August 18, 2014~~
August 21, 2014

Patent owner's response to observation

Opposition to motion to exclude

In accordance with the Scheduling Order, Due Dates 6 and 7 remain as follows:

DUE DATE 6 August 25, 2014

Reply to opposition to motion to exclude

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DUE DATE 7 September 17, 2014

Oral argument (if requested)

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: July 2, 2014

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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 Modify Due Dates 2, 4 & 5” was served in its entirety on July 2, 2014, via email upon the following counsel of record for the Patent Owner:

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