

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AKER BIOMARINE AS
Petitioner

v.

NEPTUNE TECHNOLOGIES AND BIORESSOURCES INC.
Patent Owner

CASE NO. IPR2014-00003
U.S. Patent No. 8,278,351

PATENT OWNER'S LIST OF PROPOSED MOTIONS

PATENT OWNER'S LIST OF PROPOSED MOTIONS

Pursuant to the Office Patent Trial Practice Guide, 77 Fed. Reg. 48756, 48765-66 (August 14, 2012), Patent Owner, Neptune Technologies and Bioresources Inc. (the "Patent Owner" or "Neptune"), submits the following list of proposed motions it is currently contemplating filing. This list is provided without prejudice to Patent Owner's right to seek authorization to file additional motions or to not file the motions listed herein.

I. Motion to Amend the Patent

Pursuant to 37 CFR § 42.121(a), Patent Owner contemplates filing a motion to amend one or more claims of U.S. Pat. No. 8,278,351, after conferring with the Board regarding such a motion.

II. Motion to Exclude Evidence

Pursuant to 37 CFR § 42.64(c), Patent Owner reserves the right to file a motion to exclude evidence. While such a motion is automatically authorized, Patent Owner identifies such a motion to preserve its right to file the same.

III. Motion for Observations on Cross-Examination

Pursuant to 37 CFR § 42.20(a), Patent Owner reserves the right to file a motion for observations on cross-examination. Patent Owner identifies such a motion to preserve its right to file the same.

IV. Motion for *Pro Hac Vice* Admission

Pursuant to 37 CFR § 42.10(c), Patent Owner contemplates filing a motion for admission *pro hac vice* for at least one additional counsel. Patent Owner identifies such a motion to preserve its right to file the same.

V. Motion to Submit Supplemental Information

Pursuant to 37 CFR § 42.123, Patent Owner contemplates filing a motion to submit Supplemental Information. Patent Owner identifies such a motion to preserve its right to file the same.

VI. Motion to Seal

Pursuant to 37 CFR § 42.54, Patent Owner contemplates filing a motion to seal regarding confidential information. Patent Owner identifies such a motion to preserve its right to file the same.

VII. Motion to Waive Page Limits

Pursuant to 37 CFR § 42.24(a)(2), Patent Owner contemplates filing a motion to waive page limits. Patent Owner identifies such a motion to preserve its right to file the same.

Patent Owner reserves the right to seek authorization, as required, to file additional motions not listed herein.

DATE: APRIL 23, 2014

COOLEY LLP
ATTN: Patent Group
1299 Pennsylvania Avenue NW, Suite 700
Washington, DC 20004

Tel: (617) 937-2371
Fax: (202) 842-7899

Respectfully submitted,
COOLEY LLP

By: / Stephen L. Altieri /
Stephen L. Altieri, Ph.D.
Reg. No. 63,133

CERTIFICATION OF SERVICE UNDER 37 C.F.R. §§ 42.6(e), 42.105(a)

I, Stephen L. Altieri, Ph.D., hereby certify that the foregoing PATENT OWNER'S LIST OF PROPOSED MOTIONS was served electronically (as consented to by Petitioner), on the 23rd day of April, 2014, the same day as the filing of the above-identified document in the United States Patent and Trademark Office (USPTO), upon:

J. Mitchell Jones
jmjonas@casimirjones.com and docketing@casimirjones.com
Hand delivery address:
CASIMIR JONES SC
2275 Deming Way, St. 310
Middleton, WI 53562
Telephone: (608) 662-1277
Facsimile: (608) 662-1276
Reg. No. 44,174

Amanda Hollis
amanda.hollis@kirkland.com
Hand delivery address:
KIRKLAND & ELLIS
300 North LaSalle
Chicago, IL 60654
Telephone: 312-862-2011
Facsimile: 312-862-2200
Reg. No. 55,629

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.