

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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NOVEN PHARMACEUTICALS, INC.  
and MYLAN PHARMACEUTICALS INC.,  
Petitioner,

v.

NOVARTIS AG and LTS LOHMANN THERAPIE-SYSTEME AG,  
Patent Owner.

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Case IPR2014-00549<sup>1</sup> (Patent 6,316,023 B1)  
Case IPR2014-00550<sup>2</sup> (Patent 6,335,031 B1)

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Before ERICA A. FRANKLIN, and CHRISTOPHER G. PAULRAJ,  
*Administrative Patent Judges.*

FRANKLIN, *Administrative Patent Judge.*

ORDER

Granting Petitioner Mylan's Motion to Withdraw as Counsel  
and Substitute New Counsel  
*37 C.F.R. § 42.10*

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<sup>1</sup> Case IPR2015-00265 has been joined with this proceeding.

<sup>2</sup> Case IPR2015-00268 has been joined with this proceeding.

IPR2014-00549 (Patent 6,316,023 B1)

IPR2014-00550 (Patent 6,335,031 B1)

In each of the proceedings, pursuant to authorization of the Board, Petitioner Mylan filed a Motion to Withdraw as Counsel and Substitute New Counsel. Paper 73 (“Motion”).<sup>3</sup> Specifically, Petitioner Mylan requests the withdrawal of its current counsel, Mr. Joseph M. Reisman, Lead Counsel, and Mr. Jay R. Deshmukh, Back-Up Counsel, and substitution of new counsel, Mr. Steven W. Parmelee, Lead Counsel, and Mr. Michael T. Rosato, Back-Up Counsel. *Id.* at 1.

Counsel may withdraw from an *inter partes* review proceeding only with authorization from the Board. 37 C.F.R. § 42.10(e). Petitioner Mylan does not seek an extension of time in connection with its Motion, as the Final Decision has been issued. Motion 1. Petitioner Mylan has filed a new Power of Attorney, Paper 75, and updated its Mandatory Notices, Paper 74, each reflecting appointment of the proposed substitute counsel. Petitioner Mylan affirms that neither Petitioner Noven, nor Patent Owner oppose the Motion.

#### ORDER

In consideration of the foregoing, it is hereby:

ORDERED that Petitioner Mylan’s Motion to Withdraw as Counsel and Substitute New Counsel is *granted*;

FURTHER ORDERED that Joseph M. Reisman and Mr. Jay R. Deshmukh are no longer recognized as counsel for Petitioner Mylan in this proceeding;

FURTHER ORDERED that Mr. Steven W. Parmelee is substituted as Lead Counsel for Petitioner Mylan; and

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<sup>3</sup> Paper numbers are the same in both IPR2014-00549 and IPR2014-00550.

IPR2014-00549 (Patent 6,316,023 B1)

IPR2014-00550 (Patent 6,335,031 B1)

FURTHER ORDERED that Mr. Michael T. Rosato is substituted as  
Back-up Counsel for Petitioner Mylan.

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