

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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**RANBAXY LABORATORIES LTD and RANBAXY INC.,**  
Petitioner

v.

**ADAMAS PHARMACEUTICALS, INC.,**  
Patent Owner

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*Inter Partes* Review No.: 2015-00410

U.S. Patent No. 8,362,085

**MOTION TO CORRECT ACCORDED FILING DATE**

Under 37 C.F.R. §§ 42.20 and 42.2

## **I. Statement and Summary of Reasons for Relief Requested**

Petitioner (“Ranbaxy”) files this motion to correct the accorded filing date as it timely requested such relief via e-mail pursuant to the December 16, 2014 Notice. After which, Petitioner received a response granting permission to make this motion to change the filing date once the PRPS system was functional. Upon receiving that permission, Petitioner served counsel of record with its petition on December 17, 2014. According this petition a December 17, 2014 filing date would result in no legally cognizable prejudice for the Patent Owner (“Adamas”) or for the Board. Conversely, if the Board refuses to accept Ranbaxy’s timely filed petition, Ranbaxy would be prejudiced.

## **II. Petitioner Met Its Legal Obligations Under 37 C.F.R. § 42.20**

Under 37 C.F.R. § 42.20(b), a motion will not be entered without prior authorization. Ranbaxy sought and received that authorization to file the instant motion. *See* Exhibit A, attached hereto. Based on this authorization, a copy of the petition, as well as all supporting documents, were served on Adamas’s counsel of record via Federal Express. Because Adamas’s counsel were timely served, there would be no prejudice to according this Petition its December 17, 2014 filing date.

## **III. Relief Sought**

Ranbaxy respectfully requests that its Petition be granted its December 17, 2014 filing date.

Dated: December 17, 2014

Respectfully submitted,

A handwritten signature in blue ink, appearing to be 'Anne Li', is written over a light blue rectangular background. The signature is fluid and cursive.

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Anne Li (Reg. No. 53,131)  
KENYON & KENYON LLP  
One Broadway  
New York, NY 10004-1007  
Tel: 212-425-7200  
Fax: 212-425-5288

John W. Bateman (Reg. No. 41,602)  
KENYON & KENYON LLP  
1500 K Street, NW  
Washington, DC 20005  
Tel: 202.220.4216  
Fax: 202.220.4201

*Counsel for Petitioners Ranbaxy Laboratories Ltd. and  
Ranbaxy Inc.*

# EXHIBIT A

**Li, Anne**

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**From:** Vignone, Maria <Maria.Vignone@USPTO.GOV> on behalf of Trials <Trials@USPTO.GOV>  
**Sent:** Wednesday, December 17, 2014 4:55 PM  
**To:** Li, Anne; Trials  
**Cc:** Bateman, John  
**Subject:** RE: Inter Partes Review No.: 2015-00410

Counsel: When the system is back up and running, you are authorized to file your petition along with a motion to change the filing date.

Thank you,

Maria Vignone  
Paralegal Operations Manager  
Patent Trial and Appeal Board  
571-272-4645

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**From:** Li, Anne [<mailto:ALi@kenyon.com>]  
**Sent:** Wednesday, December 17, 2014 4:52 PM  
**To:** Trials  
**Cc:** Bateman, John  
**Subject:** Inter Partes Review No.: 2015-00410

To Whom It May Concern,

I write to let you that Ranbaxy Inc. and Ranbaxy Labs. Ltd. Plan to file this IPR today. However, because the system is down, we will not be able to do so. Therefore, pursuant to the December 16, 2014 Notice, we are sending this email to let you know our intention and that we will serve counsel of record today.

Best,  
Anne

**Anne Elise Herold Li, Esq.**  
**Kenyon & Kenyon LLP**  
One Broadway | New York, NY 10004-1007  
212.908.6083 Phone | 212.425.5288 Fax  
[ali@kenyon.com](mailto:ali@kenyon.com) | [www.kenyon.com](http://www.kenyon.com)

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