

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LUPIN LTD. and LUPIN PHARMACEUTICALS INC.,
Petitioner,

v.

SENJU PHARMACEUTICAL CO., LTD.,
Patent Owner.

Case IPR2015-01099
Patent 8,669,290 B2

Before FRANCISCO C. PRATS and ERICA A. FRANKLIN,
Administrative Patent Judges.

PRATS, *Administrative Patent Judge.*

ORDER
Conduct of the Proceeding
37 C.F.R. § 42.5

IPR2015-01099
Patent 8,669,290 B2

In an e-mail (attached) to the Board dated April 28, 2016, Lupin Ltd. and Lupin Pharmaceuticals, Inc. (collectively, “Petitioner”) requested to refile the Parties and Board Only version of its Reply to Patent Owner’s Response (Paper 34; “Reply”). Specifically, Petitioner requested that Paper 34 be replaced with an identical document, amended only to include the stamp “PROTECTIVE ORDER MATERIAL - FED R. EVID 615” at the top of each page.

Petitioner represents that Senju Pharmaceutical Co., Ltd., (“Patent Owner”) requests this action, and does not oppose the correction.

Accordingly, it is

ORDERED, that Paper 34 shall be expunged;

FURTHER ORDERED that, by close of business on the day of issuance of this Order, Petitioner shall refile the Parties and Board Only version of its Reply with an identical document, amended only to include the stamp “PROTECTIVE ORDER MATERIAL - FED R. EVID 615” at the top of each page.

IPR2015-01099
Patent 8,669,290 B2

For PETITIONER:

Debbie Yellin
Jonathan Lindsay
Teresa Rea
CROWELL & MORING LLP
DYellin@crowell.com
JLindsay@crowell.com
trea@crowell.com

For PATENT OWNER:

Bryan Diner
Justin Hasford
Joshua Goldberg
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.
bryan.diner@finnegan.com
justin.hasford@finnegan.com
joshua.goldberg@finnegan.com

IPR2015-01099
Patent 8,669,290 B2

From: Yellin, Deborah [<mailto:DYellin@crowell.com>]
Sent: Thursday, April 28, 2016 3:56 PM
To: Trials <Trials@USPTO.GOV>
Cc: Hasford, Justin <Justin.Hasford@finnegan.com>; Goldberg, Joshua <Joshua.Goldberg@finnegan.com>; Diner, Bryan <bryan.diner@finnegan.com>; Lentz, Shannon <SLentz@crowell.com>; Lindsay, Jonathan <JLindsay@crowell.com>; Rea, Teresa <TRea@crowell.com>; Cheung, Ashley <Ashley.Cheung@finnegan.com>
Subject: IPR2015-01099

Your Honors,

I represent the Lupin Petitioners in IPR2015-01099. We filed Petitioner Replies in four IPRs on Friday, April 22, 2016, in IPR2015-01099, 01097, 01100 and 01105.

In the Petitioner Reply for IPR2015-01099, Petitioners inadvertently failed to mark the version of the Reply filed as Board and Parties Only with the header "Protective Order Material – Fed R Evid 615". A Board and Party only version of the Reply marked with this header is attached. The addition of the "Protective Order Material – Fed R Evid 615" header to each page of this document is the only change from what was filed on April 22, 2016.

Petitioners respectfully request that the PTAB replace the Board and Parties version of the Reply currently in PRPS with the attached marked document. Alternatively, please advise if Petitioners should refile the document.

Patent Owners have requested that Petitioners take this action and do not oppose it. Patent Owners' counsel are copied here.

Best regards,
Deborah Yellin