

From: Hasford, Justin
Sent: Friday, July 08, 2016 7:54 PM
To: 10353-9002-Lupin-Prolensa-IPR1099-lit-all
Subject: Fw: IPR2015-01097; IPR2015-01100; IPR2015-01105

From: Trials <Trials@USPTO.GOV>
Sent: Friday, July 8, 2016 2:02 PM
To: Goldberg, Joshua; Trials
Cc: DYellin@crowell.com; JLindsay@crowell.com; trea@crowell.com; jitty.malik@alston.com; EXT-
bryan.skelton@alston.com; Diner, Bryan; Hasford, Justin
Subject: RE: IPR2015-01097; IPR2015-01100; IPR2015-01105

Counsel: In response to Patent Owner's request for guidance regarding its Motion to Seal, we authorize counsel to submit declarations from representatives of BioScience and SSCI (a) explaining what information contained in the relevant exhibits is proprietary and why, as well as, (b) authorizing Patent Owner to seek protection and allow the limited disclosure of that information provided for in the proposed protective order.

Thank you,

Maria Vignone
Paralegal Operations Manager
Patent Trial and Appeal Board
703-756-1288

From: Goldberg, Joshua [<mailto:Joshua.Goldberg@finnegan.com>]
Sent: Wednesday, July 06, 2016 5:13 PM
To: Trials <Trials@USPTO.GOV>
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bryan.skelton@alston.com <bryan.skelton@alston.com>; Diner, Bryan <bryan.diner@finnegan.com>; Hasford, Justin
<Justin.Hasford@finnegan.com>
Subject: IPR2015-01097; IPR2015-01100; IPR2015-01105

Dear PTAB:

In the Order of June 21, 2016 (e.g., Paper 58 in IPR2015-01100), the Board held that with respect to the materials from third party BioScience, Patent Owner did not "establish its standing to assert the 'interest' of a non-party third party in this proceeding." *Id.* at 9.

Patent Owner writes to seek guidance on how third party BioScience may offer such evidence to establish that certain exhibits contain BioScience proprietary information. For example, BioScience could send an email directly to the Board explaining why the exhibits contain proprietary information. Alternatively, BioScience could draft a declaration containing this information and Patent Owner could file that declaration in support of its Motion to Seal.

Patent Owner would like clarification on this point prior to filing its Motion to Seal to minimize inconvenience to the Board, the other parties, and BioScience.

Best regards,
Joshua L. Goldberg
Backup Counsel for Patent Owner

Joshua L. Goldberg

Attorney at Law

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