

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COALITION FOR AFFORDABLE DRUGS VI, LLC,
Petitioner,

v.

CELGENE CORPORATION,
Patent Owner.

Case IPR2015-01092 (Patent 6,045,501)

Case IPR2015-01096 (Patent 6,315,720)

Case IPR2015-01102 (Patent 6,315,720)

Case IPR2015-01103 (Patent 6,315,720)¹

Before MICHAEL P. TIERNEY, GRACE KARAFFA OBERMANN, and
TINA E. HULSE, *Administrative Patent Judges*.

TIERNEY, *Administrative Patent Judge*.

ORDER
37 C.F.R. § 42.5

¹ This Order addresses issues common to all identified cases. We exercise our discretion to issue one Order to be filed in each case. The parties are not authorized to use this style heading.

Case IPR2015-01092 (Patent 6,045,501)
Case IPR2015-01096 (Patent 6,315,720)
Case IPR2015-01102 (Patent 6,315,720)
Case IPR2015-01103 (Patent 6,315,720)

As set forth in the Scheduling Orders, oral argument, if requested, is scheduled for July 21, 2016, in connection with this proceeding. Both parties have requested oral argument. The requests are *granted*.

There is substantial overlap in the issues raised in the four cases. Accordingly, each party will have sixty (60) minutes total time to present arguments. Petitioner will proceed first to present its case with respect to the challenged claims and grounds for which the board instituted trial. Thereafter, Patent Owner will respond to Petitioner's presentation. Both parties may reserve some of their argument time for rebuttal and Patent Owner will be afforded an opportunity to provide a closing statement along with any rebuttal.

Oral argument will commence at 1:30 PM ET on July 21, 2016. The hearing will be conducted in Hearing Room A on the ninth floor of Madison Building East, 600 Dulany Street, Alexandria, Virginia 22314. The hearing will be open to the public for in-person attendance, which will be accommodated on a first-come-first-serve basis. The Board will provide a court reporter for the hearing, and the reporter's transcript will constitute the official record of the hearing.

Under 37 C.F.R. § 42.70(b), demonstrative exhibits must be served seven business days prior to the hearing. The parties are further directed to request a conference call with the Board no later than three business days prior to the hearing to resolve any dispute over the propriety of each party's demonstrative exhibits, and to file demonstrative exhibits two business days prior to the hearing. The parties are responsible for requesting such a conference sufficiently in advance of the hearing to accommodate this

Case IPR2015-01092 (Patent 6,045,501)
Case IPR2015-01096 (Patent 6,315,720)
Case IPR2015-01102 (Patent 6,315,720)
Case IPR2015-01103 (Patent 6,315,720)

requirement. Any objection to demonstrative exhibits that is not presented timely will be considered waived. The parties may refer to *CBS Interactive Inc. v. Helferich Patent Licensing, LLC*, IPR2013-00033 (PTAB October 23, 2013) (Paper 118), and *St. Jude Medical, Cardiology Div., Inc. v. The Board of Regents of the University of Michigan*, IPR2013-00041 (PTAB Jan. 27, 2014) (Paper 65) regarding the appropriate content of demonstrative exhibits.

The parties are reminded that the presenter must identify clearly and specifically each demonstrative exhibit (e.g., by slide or screen number) referenced during the hearing to ensure the clarity and accuracy of the reporter's transcript. The parties also should note that one panel member will be attending the hearings electronically from a remote location and that if a demonstrative is not filed or otherwise made fully available or visible to the judge presiding over the hearing remotely, that demonstrative will not be considered.

Questions regarding specific audio-visual equipment should be directed to the Board at (571) 272-9797. Requests for audio-visual equipment are to be made 5 days in advance of the hearing date. The request is to be sent to Trials@uspto.gov. If the request is not received timely, the equipment may not be available on the day of the hearing. The parties are reminded that the presenter must identify clearly and specifically each demonstrative exhibit (e.g., by slide or screen number) referenced during the hearing to ensure the clarity and accuracy of the reporter's transcript.

Case IPR2015-01092 (Patent 6,045,501)

Case IPR2015-01096 (Patent 6,315,720)

Case IPR2015-01102 (Patent 6,315,720)

Case IPR2015-01103 (Patent 6,315,720)

The Board expects lead counsel for each party to be present in person at the oral hearing. Lead or backup counsel, however, may present the party's argument. If either party anticipates that its lead counsel will not be attending the oral argument, the parties should request a joint telephone conference with the Board no later than two business days prior to the oral hearing to discuss the matter.

It is

ORDERED that oral argument will commence at 1:30 PM ET on July 21, 2016.

Case IPR2015-01092 (Patent 6,045,501)
Case IPR2015-01096 (Patent 6,315,720)
Case IPR2015-01102 (Patent 6,315,720)
Case IPR2015-01103 (Patent 6,315,720)

PETITIONER:

Sarah Spires
Parvathi Kota
Ki O
Paul Skiermont
SKIERMONT PUCKETT LLP
sarah.spires@skiermontpuckett.com
1092CFAD6@skiermontpuckett.com
ki.o@skiermontpuckett.com
paul.skiermont@skiermontpuckett.com
1096CFAD6@skiermontderby.com
1102CFAD6@skiermontderby.com
1103CFAD6@skiermontderby.com

PATENT OWNER:

Francis Cerrito
Eric C. Stops
Frank C. Calvosa
QUINN EMANUEL URQUHART & SULLIVAN, LLP
nickcerrito@quinnemanuel.com
ericstops@quinnemanuel.com
frankcalvosa@quinnemanuel.com

Anthony Insogna
J. Patrick Elsevier
Gasper J. LaRosa
JONES DAY
aminsogna@jonesday.com
jpelsevier@jonesday.com
gjlarosa@jonesday.com