

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, MICHAEL W. KIM, JAQUELINE
WRIGHT BONILLA, GRACE KARAFFA OBERMANN, and TINA E.
HULSE, *Administrative Patent Judges*.

TIERNEY, *Administrative Patent Judge*.

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

¹ This order addresses issues common to all cases; therefore, we issue a single order to be entered in each case.

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

A conference call was held on August 19, 2015, between respective counsel for the parties and Judges Tierney, Kim, Bonilla, Obermann and Hulse. The purpose of the call was to discuss Patent Owner's request to cross examine Petitioner's declarant, Dr. Juan (Julie) Wu.

Petitioner relied upon Dr. Wu's testimony (Ex.1039²) in its Opposition to Patent Owner's Motion for Sanctions. Both Patent Owner and Petitioner agreed that Dr. Wu's testimony, Ex.1039, was not relevant to the central issues raised in Patent Owner's Motion for Sanctions. During the call, Petitioner requested authorization to file a motion to withdraw Dr. Wu's declaration and strike those portions of its Opposition that cited to the declaration. The Board authorized Petitioner's requested motion.

Patent Owner requested that the date for its Reply to the Opposition to the Motion for Sanctions be extended to Friday, August 21, 2015. Petitioner did not oppose Patent Owner's request. Based upon the facts presented, the Board authorized the requested extension of time to file the Reply.

² Citations to exhibits refer to those filed in IPR2015-01092. Similar exhibits were filed in each of the other cases.

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