

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COALITION FOR AFFORDABLE DRUGS VII LLC,

Petitioner

v.

POZEN INC.,

Patent Owner

Case IPR2015-01241

Patent 6,926,907

**PATENT OWNER'S MOTION FOR EXTENSION OF TIME
TO FILE PRELIMINARY RESPONSE**

Patent Owner Horizon Pharmaceuticals, Inc. and Pozen Inc. hereby requests that the Board extend the due date for the Preliminary Response by 13 days, to September 19, 2015. This motion is unopposed. Permission to file this motion was granted by an email from the Board dated September 4, 2015. That email stated, “The panel will issue a short order in response to the motion, but Patent Owner can go ahead and rely on their preliminary response being due September 19, 2015.”

Without the extension, the Preliminary Response would have been due on September 6, as the Board issued a “Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response” (Paper 4) on June 6, 2015. The deadline for filing a preliminary response is not statutory; rather, the default deadline is set by regulation, *viz.*, 37 C.F.R. § 42.107(b), to which the Board may make exceptions as the Board sees fit.

In this case, a short extension is justified to synchronize this case with IPR2015-01344, which involves the same parties and for which the preliminary response is also due September 19, 2015. The extension will also give the Board additional time to decide whether to grant the Patent Owner permission to file a motion for additional discovery in both this case and IPR2015-01344, as was discussed on a conference call on August 18, 2015.

Case No. IPR2015-01241
Patent Nos. 6,926,907

For these reasons, the Patent Owner respectfully seeks an order granting this motion and setting September 19, 2015 as the deadline for the preliminary response.

Date: September 11, 2015

Respectfully submitted,

BY: */s/ Ricardo Rodriguez*

Ricardo Rodriguez

Reg. No. 40,789

Counsel for Patent Owner

CERTIFICATE OF SERVICE

I hereby certify that on September 11, 2015, copies of the foregoing PATENT OWNER'S MOTION FOR EXTENSION OF TIME TO FILE PRELIMINARY RESPONSE and all documents filed with it were served via electronic mail, as agreed to by counsel, upon the following counsel for the Petitioner:

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Date: September 11, 2015

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