

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COALITION FOR AFFORDABLE DRUGS VIII, LLC,
Petitioner,

v.

THE TRUSTEES OF THE UNIVERSITY OF PENNSYLVANIA,
Patent Owner.

Case IPR2015-01835 (Patent 8,618,135 B2)
Case IPR2015-01836 (Patent 7,932,268 B2)¹

Before MICHAEL P. TIERNEY, LORA M. GREEN, and
GRACE KARAFFA OBERMANN, *Administrative Patent Judges*.

GREEN, *Administrative Patent Judge*.

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

¹ This order addresses issues that are the same in the identified cases. We exercise our discretion to issue one order to be filed in each case. The parties are authorized to use this style heading when filing a single paper in the listed proceedings, provided that such heading includes a footnote attesting that “the word-for-word identical paper is filed in each proceeding identified in the heading.”

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IPR2015-01836 (Patent 7,932,268 B2)

A conference call was held on Tuesday, May 24, 2016, among Gregory Gonsalves, counsel for Petitioner; Cynthia Lambert Hardman, William James, and Nicholas Mitrokostas, counsel for Patent Owner; and Administrative Patent Judges Green, Tierney, and Obermann.

The purpose of the call was to discuss Patent Owner's intention to file a motion to amend in the two proceedings, and thus meet its duty to confer as required by 37 C.F.R. § 42.121(a). Although Patent Owner did not have any specific questions during the call, we noted that it could schedule an additional call with the panel if any arose. In that regard, we point the parties' attention to *Idle Free Systems, Inc. v. Bergstrom, Inc.*, Case IPR2012-00027 (PTAB June 11, 2013) (Paper 26) (informative) and *MasterImage 3D, Inc. v. RealD Inc.*, Case IPR2015-00040 (PTAB July 15, 2015) (Paper 42) (precedential).

Accordingly, it is:

ORDERED that Patent Owner has met its duty to confer with the Board before filing a motion to amend, as required by 37 C.F.R. § 42.121(a).

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