

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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COALITION FOR AFFORDABLE DRUGS VIII, LLC,  
Petitioner,

v.

THE TRUSTEES OF THE UNIVERSITY OF PENNSYLVANIA,  
Patent Owner.

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

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

GREEN, *Administrative Patent Judge*.

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

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<sup>1</sup> 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.”

IPR2015-01835 (Patent 8,618,135 B2)

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

This order is in response to Patent Owner's email dated June 16, 2016, attached. Petitioner did not respond to Patent Owner's email, and thus does not appear to oppose Patent Owner's requests.

As to IPR2015-01835, Patent Owner's items 1–5 and 7 are granted. As to item 6, for purposes of these proceedings, the same exhibit may have two exhibit numbers, and thus Patent Owner need not file revisions of the Gregg Declaration and the Rader Declaration that refer to the same Exhibit by two different Exhibit Numbers, *i.e.*, Exhibit Numbers 2058 and 2078.

As to IPR2015-01836, item 1, to the extent that the same exhibit is referred to by two different exhibit numbers, Patent Owner need not file revisions of the two Exhibits that refer to the same exhibit as two different exhibit numbers. Item 1, to the extent it is the same as Item 7 in IPR2015-01835 is granted. Item 2 is granted. Patent Owner should correct its June 7, 2016, Certificate of Service appended to its Patent Owner Response.

Accordingly, it is:

ORDERED that in IPR2015-01835, one copy of each of Exhibits 2089, 2106, 2194, 2200, 2203, 2216, 2217, 2267, 2277, 2298 and 2300, is expunged;

FURTHER ORDERED that in IPR2015-01835, Exhibit 2057-Part 6, is expunged;

FURTHER ORDERED that in IPR2015-01835, the version of Exhibit 2161 that returns the exhibit labeled Exhibit 2162 is expunged;

FURTHER ORDERED that in IPR2015-01835, the version of Exhibit 2031 that returns the exhibit labeled Exhibit 2301 is expunged;

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FURTHER ORDERED that in IPR2015-01835, the version of Exhibit 2100 that returns the exhibit labeled Exhibit 2110, is re-designated as Exhibit 2110;

FURTHER ORDERED that in IPR2015-01835, Patent Owner is authorized to submit a corrected copy of its Motion to Amend that changes all references to Exhibit 2092 to Exhibit 2048, with the corrected copy to be filed no later than JULY 29, 2016;

FURTHER ORDERED that in IPR2015-01836, Patent Owner is authorized to submit a corrected copy of its Motion to Amend that changes all references to Exhibit 2092 to Exhibit 2048, with the corrected copy to be filed no later than JULY 29, 2016;

FURTHER ORDERED that in IPR2015-01836; Patent Owner is authorized to upload Exhibit 2076, Part 6 of 6, which was served in IPR2015-01835, but not filed in IPR2015-01836; and

FURTHER ORDERED that in IPR2015-01836, Patent Owner should correct its June 7, 2016, Certificate of Service appended to its Patent Owner Response no later than July 29, 2016.

IPR2015-01835 (Patent 8,618,135 B2)

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

For PETITIONER:

Gregory Gonsalves  
Christopher Casieri

gonsalves@gonsalveslawfirm.com  
chris@miplaw.com

For PATENT OWNER:

Williams James  
Cynthia Hardman

wjames@goodwinprocter.com  
chardman@goodwinprocter.com

IPR2015-01835 (Patent 8,618,135 B2)

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

**From:** Hardman, Cynthia [<mailto:CHardman@goodwinprocter.com>]

**Sent:** Thursday, June 16, 2016 3:52 PM

**To:** Trials <[Trials@USPTO.GOV](mailto:Trials@USPTO.GOV)>

**Cc:** [gonsalves@gonsalveslawfirm.com](mailto:gonsalves@gonsalveslawfirm.com); [chris@miplaw.com](mailto:chris@miplaw.com); James, William G. <[WJames@goodwinprocter.com](mailto:WJames@goodwinprocter.com)>; Mitrokostas, Nicholas K <[NMitrokostas@goodwinprocter.com](mailto:NMitrokostas@goodwinprocter.com)>

**Subject:** IPR2015-01835, -01836

To the Board,

On June 7, 2016, in both IPR2015-01835 and -01836, Patent Owner made voluminous filings of a Patent Owner Response and Motion to Amend, which together involved filing over 300 exhibits in each IPR. Patent Owner has since become aware of a few inadvertent clerical errors in these filings, as noted below. In order to correct the errors, Patent Owner respectfully makes the following requests. Patent Owner has conferred with Petitioner, and Petitioner does not object to the requested corrections.

To the extent the Board would like to discuss the below requests, the parties are available for a conference call with the Board during the following times: June 21 and 22 after 3 pm.

### **IPR2015-01835:**

1. Patent Owner inadvertently uploaded identical copies of certain exhibits twice. Accordingly, Patent Owner requests that one copy of each of the following exhibits be expunged: Exhibits 2089, 2106, 2194, 2200, 2203, 2216, 2217, 2267, 2277, 2298 and 2300.
2. Patent Owner inadvertently uploaded two identical copies of Exhibits 2075-Part 6. However, when we input the Document Name into PRPS for one of the copies this exhibit, we transposed numbers, and mistakenly called it "Exhibit 2057- Part 6." Accordingly we request that the Board delete the copy of Exhibit 2075 that has the name "Exhibit 2057- Part 6."
3. Two documents have been designated as Exhibit 2161. However, when a user clicks on the PRPS link, one of these links returns a copy

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