

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

E. I. DU PONT DE NEMOURS AND COMPANY and
ARCHER-DANIELS-MIDLAND COMPANY,
Petitioners,

v.

FURANIX TECHNOLOGIES B.V.,
Patent Owner

Case IPR2015-01838
Patent 8,865,921

PATENT OWNER'S LIST OF PROPOSED MOTIONS

In preparation for the initial conference call scheduled for April 14, 2016, and pursuant to section II.E of the Office Patent Trial Practice Guide (77 Fed. Reg. 48756, 48765-66), Patent Owner submits the following list of possible issues/motions for trial. Patent Owner understands that routine discovery, motions for observations, motions to exclude evidence, and other motions provided for in the Scheduling Order do not require prior authorization from the Board, and therefore may not list such motions here. Patent Owner reserves its right to seek authorization to file additional motions as circumstances arise and as authorized by the Board, or to decide not to file the motions listed below.

1. Patent Owner's expect to file a Motion to Amend pursuant to 37 C.F.R. § 42.121. Patent Owner understands that a first Motion to Amend does not require prior authorization from the Board, but Patent Owner is required to confer with the Board prior to filing such a motion (37 CFR § 42.121(a)).
2. Motion to modify DUE DATE 1, as set forth in the March 9, 2016 Scheduling Order (Paper 11), in view of the parties' mutual agreement to move DUE DATE 1 from May 31, 2016 to June 3, 2016.
3. Patent Owner may seek entry of a protective order pursuant to 37 C.F.R. § 42.54 in the event that it intends to rely upon confidential information, or confidential information is produced, during this *inter partes* review proceeding.

4. Patent Owner may file a motion for discovery pursuant to 37 C.F.R. § 42.51 regarding (i) Petitioners' efforts to develop methods for the preparation of 2,5-furan dicarboxylic acid by methods of the invention claimed in U.S. 8,865,921; and (ii) secondary considerations relating to methods of the invention claimed in U.S. 8,865,921. This discovery would be in the nature of requests for admissions, request for production of documents, depositions, and any other appropriate means of discovery.

Dated: April 12, 2016

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing “PATENT OWNER’S LIST OF PROPOSED MOTIONS” was served via email as follows:

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