UNITED STATES PATENT AND TRADEMARK OFFICE
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BEFORE THE PATENT TRIAL AND APPEAL BOARD
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MYLAN PHARMACEUTICALS INC.
Petitioner,

v.

3M COMPANY et al.
Patent Owner.

_____

Case IPR2015-02002
Patent 6,743,413

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Filed: October 27, 2016
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NOTICE OF STIPULATION ADJUSTING DUE DATES 2–5

Patent Owner and Petitioner (the "Parties") have conferred and have agreed to extend Due Dates 2–5 in accordance with the Scheduling Order (Paper No. 9) entered on April 4, 2016. Specifically, the Parties have agreed to extend Due Dates 2–5 as described below:

The Parties have agreed that **neither party** will file any motions to exclude evidence (Due Date 4) including any motion directed to Drs. Smyth or Dalby, which will also preclude the need for an Opposition to Motion to Exclude (Due Date 5) and a Reply to Opposition to Motion to Exclude (Due Date 6). Furthermore, Petitioner has agreed that there will be no Reply Declaration(s) in support of Petitioner's Reply to Patent Owner's Response to Petition (Due Date 2) and that no new exhibits will be filed with Petitioner's Reply. In other words, on Due Date 2 (November 14), Petitioner will file its Reply paper, and as exhibits will file the deposition transcript of Dr. Dalby and any exhibit provided to Patent Owner before or during Dr. Dalby's deposition. The Parties have agreed that this will preclude the need for a deposition of any Reply declarant, or a Motion for Observation regarding Cross-Examination of Reply witness (Due Date 4) and a Response to Observation (Due Date 5). Furthermore, Patent Owner did not file a Motion to Amend, thus Petitioner's Opposition to Motion to Amend (Due Date 2) is inapplicable. For ease of review, the activities that are inapplicable by the Parties' agreement is shown in strikethrough in the table below.

Due Dates	Previous Date[1]	New Date
Due Date 2 Petitioner's reply to patent owner's response to petition ~~Petitioner's opposition to motion to amend~~	October 28, 2016	November 14, 2016
Due Date 3 ~~Patent owner's reply to petitioner's opposition to motion to amend~~	October 28, 2016	November 14, 2016
DUE DATE 4 ~~Motion for observation regarding cross-examination of reply witness~~ ~~Motion to exclude evidence~~ Request for oral argument	November 4, 2016	November 14, 2016
DUE DATE 5 ~~Response to observation~~ ~~Opposition to motion to exclude~~	November 9, 2016	November 14, 2016
DUE DATE 6 ~~Reply to opposition to motion to exclude~~	November 14, 2016	Same
DUE DATE 7 Oral argument (if requested)	December 5, 2016	Same

[1] Due Dates 2 and 4 were adjusted pursuant to the Notice of Stipulation Adjusting Due Dates 2 and 4 (Paper No. 18) filed on August 25, 2016. Due Dates 2–5 were further adjusted pursuant to the Notice of Stipulation Adjusting Due Dates 2-5 (Paper No. 19) filed on September 27, 2016. Due Dates 2–3 were further adjusted pursuant to the Notice of Stipulation Adjusting Due Dates 2–3 (Paper No. 20) filed on October 6, 2016. Due Dates 2-4 were further adjusted pursuant to the Notice of Stipulation Adjusting Due Dates 2–4 (Paper No. 21) filed on October 13, 2016.

Due Dates 6 and 7 remain unchanged, as listed in the Due Date Appendix of the Scheduling Order (Paper No. 9). Accordingly, and as permitted by the Scheduling Order, the Parties hereby stipulate to extend Due Dates 2–5. This paper is being filed by counsel for Petitioner with the approval of Patent Owner.

RESPECTFULLY SUBMITTED,

Date: October 27, 2016

/Jitendra Malik/

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CERTIFICATION OF SERVICE ON PATENT OWNER

The undersigned certifies that on the 27th day of October, 2016, a complete

copy of the foregoing NOTICE OF STIPULATION ADJUSTING DUE DATES 2–

5 was served via email on counsel of record for the Patent Owner:

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Respectfully submitted,

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