

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Mr. J. Kyle Bass and Mr. Erich Spangenberg,
Petitioners

v.

ALPEX PHARMA
Patent Owner

Patent No. 8,440,170
Issued: May 14, 2013
Filed: PCT January 30, 2009
Inventors: F. Stroppolo and S. Ardalan
Title: "Orally Disintegrating Tablets with Speckled Appearance"

Inter Partes Review No.—IPR2016-00245

**RESPONSE TO NOTICE REGARDING CORRECTION
OF PRELIMINARY RESPONSE**

Patent Owner, Alpex Pharma, hereby corrects the defects in its Preliminary Response (the “Paper”) which are referenced in the email notice dated March 1, 2016 from Eric Hawthorne, Supervisory Paralegal Specialist, Patent Trial and Appeal Board (“the Notice”).

The defects referenced in the Notice are:

- The Paper is in 12-point font.
- The four-page “Wikipedia” document attached to the end of the Paper should have been filed as a separate exhibit.

In response, Patent Owner herewith provides (1) a corrected petition with the font changed to 14-point Times New Roman (including adjustment of various margins and spacing to accommodate the larger font), and (2) Patent Owner’s Exhibit 2001, constituted by the four-page document initially attached to the end of the Paper and cited in Section II(B)(2) of the Preliminary Response.

In addition, Patent Owner provides herewith (i) a Certification that there are no further changes to the Paper as submitted on February 24, 2016, (ii) a Transmittal Letter for Exhibit 2001 to Patent Owner’s Preliminary Response, including a table identifying the four-page Wikipedia document as Exhibit 2001, and (iii) a repaginated Table of Contents as well as a repaginated Table of Authorities for the Preliminary Response taking into account page number changes due to the larger font (furnished for the convenience of the Paper’s reader).

Patent Owner believes that the defects are now corrected.

Date: March 8, 2016

Respectfully Submitted,

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Lead Counsel for Patent Owner
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George B. Snyder
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