

## Hill, Kyle

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**From:** Trials <Trials@USPTO.GOV>  
**Sent:** Friday, July 21, 2017 11:34 AM  
**To:** Parmelee, Steve; Trials  
**Cc:** Rosato, Michael; Mills, Jad; Devine, Wendy; Phillips, Anna; GSpeier@carlsoncaspers.com; 'MSchuman@carlsoncaspers.com'; mdzwonczyk@sughrue.com; 'tribar@sughrue.com'; 'Azy S. Kokabi (akokabi@sughrue.com)' (akokabi@sughrue.com); 'whelan@fr.com'; Michael Kane; Jonathan Singer; Susan Morrison  
**Subject:** RE: Conf. Call Request for IPR2016-01127, -01128, -01129, -01130, -01131, and -01132

Counsel,

The panel has reviewed Patent Owner's sur-replies filed in these proceedings, and has determined that additional briefing or motion practice is not warranted at this point. Petitioner may address both the substance and the alleged impropriety of the sur-replies during oral argument.

Regards,

Andrew Kellogg,  
Supervisory Paralegal  
Patent Trial and Appeal Board  
USPTO  
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**From:** Parmelee, Steve [<mailto:sparmelee@wsgr.com>]  
**Sent:** Wednesday, July 19, 2017 8:49 PM  
**To:** Trials <[Trials@USPTO.GOV](mailto:Trials@USPTO.GOV)>  
**Cc:** Rosato, Michael <[mrosato@wsgr.com](mailto:mrosato@wsgr.com)>; Parmelee, Steve <[sparmelee@wsgr.com](mailto:sparmelee@wsgr.com)>; Mills, Jad <[jmills@wsgr.com](mailto:jmills@wsgr.com)>; Devine, Wendy <[wdevine@wsgr.com](mailto:wdevine@wsgr.com)>; Phillips, Anna <[anphillips@wsgr.com](mailto:anphillips@wsgr.com)>; GSpeier@carlsoncaspers.com; 'MSchuman@carlsoncaspers.com' <[mschuman@carlsoncaspers.com](mailto:mschuman@carlsoncaspers.com)>; mdzwonczyk@sughrue.com; 'tribar@sughrue.com' <[tribar@sughrue.com](mailto:tribar@sughrue.com)>; 'Azy S. Kokabi (akokabi@sughrue.com)' (akokabi@sughrue.com) <[akokabi@sughrue.com](mailto:akokabi@sughrue.com)>; 'whelan@fr.com' <[Whelan@fr.com](mailto:Whelan@fr.com)>; Michael Kane <[kane@fr.com](mailto:kane@fr.com)>; Jonathan Singer <[singer@fr.com](mailto:singer@fr.com)>; Susan Morrison <[morrison@fr.com](mailto:morrison@fr.com)>  
**Subject:** Conf. Call Request for IPR2016-01127, -01128, -01129, -01130, -01131, and -01132

Your Honors,

I write on behalf of Petitioner Mylan Pharmaceuticals Inc. to request a conference call to discuss Patent Owner's inclusion of new arguments and new evidence in its sur-replies that were filed on July 14, 2017. Because we believe they are not responsive to any purported "new issues" in Petitioners' Replies, we seek the Board's guidance regarding appropriate remedies. Petitioner believes that some combination of (1) an order finding the new exhibits are entitled to no weight; (2) authorization to file a motion to strike; and/or (3) authorization to file substantive briefing to address the new exhibits and arguments, are justified. Patent Owner has indicated it opposes Petitioner's request.

Counsel for Petitioner and Patent Owner are available Thursday July 20, after 1pm Eastern; or Friday July 21, after 11am Eastern.

Respectfully,

**Steven W. Parmelee**  
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