

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ACRUX DDS PTY LTD., ACRUX LIMITED, and
ARGENTUM PHARMACEUTICALS LLC,
Petitioner,

v.

KAKEN PHARMACEUTICAL CO., LTD. and VALEANT
PHARMACEUTICALS INTERNATIONAL, INC.,
Patent Owner.

IPR2017-00190¹
Patent 7,214,506 B2

Before ERICA A. FRANKLIN, SUSAN L. C. MITCHELL, and
ROBERT A. POLLOCK, *Administrative Patent Judges*.

MITCHELL, *Administrative Patent Judge*.

ORDER
Conduct of the Proceeding
37 C.F.R. § 42.5(c)(2)

¹ IPR2017-01429 has been joined with the instant proceeding.

Petitioner Argentum Pharmaceuticals (“Argentum”) requests authorization to file a Sur-Reply to the Reply by Kaken Pharmaceutical Co., Ltd. and Valeant Pharmaceuticals International, Inc. (“Patent Owner”) in support of its joint motion with Petitioner Acrux DDS PTY Ltd. and Acrux Limited (“Acrux”) to terminate this proceeding. *See* Ex. 3003, 1. Specifically, Argentum asserts that good cause exists for its extension because it seeks to respond to Patent Owner’s statements concerning Argentum’s role and actions in this proceeding by providing the panel complete information. *Id.* Argentum requests one week to file its Sur-Reply. *Id.*

Because we determine that the panel will benefit from the additional briefing concerning Argentum’s role and actions in this proceeding, we grant Argentum’s request. 37 C.F.R. § 42.5(a).

ORDER

Accordingly, it is

ORDERED that the Argentum’s request to file a Sur-Reply to the Joint Motion to Terminate (Paper 105) is *granted*;

FURTHER ORDERED that Argentum shall file its Sur-Reply on or before Tuesday, August 11, 2020;

FURTHER ORDERED that Argentum’s Sur-Reply shall be no more than three pages.

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PETITIONER:

Tara Raghavan
Steven J. Birkos
RAKOCZY MOLINO MAZZOCHI SIWIK
traghavan@rmmslegal.com
sbirkos@rmmslegal.com

PATENT OWNER:

John Livingstone
Naoki Yoshida
Anthony Hartmann
Barbara R. Rudolph
Trenton Ward
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.
john.livingstone@finnegan.com
naoki.yoshida@finnegan.com
hartmana@finnegan.com
Barbara.rudolph@finnegan.com
Trenton.ward@finnegan.com

Toan P. Vo
VALEANT PHARMACEUTICALS NORTH AMERICA LLC
Toan.vo@bausch.com