

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COMPLEX INNOVATIONS, LLC,
Petitioner,

v.

ASTRAZENECA AB,
Patent Owner.

Case IPR2017-00631
Patent 7,759,328 B2

Before ERICA A. FRANKLIN, SUSAN L.C. MITCHELL, and
ZHENYU YANG, *Administrative Patent Judges*.

FRANKLIN, *Administrative Patent Judge*.

ORDER
Conduct of the Proceeding
37 C.F.R. § 42.5

A conference call in the above proceeding was held on June 1, 2017 between respective counsel for the parties and Judges Franklin, Mitchell, and Yang. The purpose of the call was to discuss Petitioner's request to file a Reply to Patent Owner's Preliminary Response to explain an alleged error in Patent Owner's calculation of the canister fill weight.

Upon consideration of the parties' arguments during the conference call, we grant Petitioner authorization to file such Reply, limited to two pages concerning a discussion addressing the calculation of the canister fill weight in Patent Owner's Preliminary Response. We further authorize Patent Owner to file a Sur-Reply, limited to two pages concerning a discussion addressing matters raised in Petitioner's Reply. No further evidence is authorized to be filed with the Reply or Sur-Reply.

In accordance with the foregoing, it is hereby:

ORDERED that Petitioner's request to file a Reply to Patent Owner's Preliminary Response to the Petition is *granted*, such Reply shall be filed within five business days after the entry of this Order;

FURTHER ORDERED that Patent Owner is authorized to file a Sur-Reply to Petitioner's Reply within five business days after such Reply is filed;

FURTHER ORDERED that both filings shall be no more than two pages; and

FURTHER ORDERED that no additional evidence is authorized to be filed with such Reply or Sur-Reply.

IPR2017-00631
Patent 7,759,328 B2

PETITIONER:

Sharad K. Bijanki
Vivek Ganti
HILL, KERTSCHER & WHARTON, LLP
sb@hkw-law.com
vg@hkw-law.com

PATENT OWNER:

Mr. Christopher N. Sipes
Ms. Andrea G. Reister
Scott E. Kamholz
COVINGTON & BURLING LLP
csipes@cov.com
areister@cov.com
skamholz@cov.com