

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APOTEX INC., APOTEX CORP., ARGENTUM PHARMACEUTICALS LLC,
ACTAVIS ELIZABETH LLC, TEVA PHARMACEUTICALS USA, INC., SUN
PHARMACEUTICAL INDUSTRIES, LTD., SUN PHARMACEUTICAL
INDUSTRIES, INC., and SUN PHARMA GLOBAL FZE,

Petitioners,

v.

NOVARTIS AG,
Patent Owner.

Case IPR2017-00854¹
U.S. Patent No. 9,187,405

JOINT STIPULATION TO MODIFY SCHEDULING ORDER

Mail Stop Patent Board
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

¹ Cases IPR2017-01550, IPR2017-01946, and IPR2017-01929 have been joined with this proceeding.

Pursuant to the Board's March 29, 2018 Order (Paper No. 66) granting Petitioners a Sur-Reply in opposition to Patent Owner's Contingent Motion to Amend, Patent Owner and Petitioners have conferred and reached an agreement regarding the modification of the due dates currently set forth in the Board's January 31, 2018 Order (Paper No. 46) and the March 2, 2018, Joint Stipulation to Modify the Scheduling Order (Paper No. 58).

Accordingly, Patent Owner and Petitioners hereby stipulate to modify the schedule as follows:

Paper	CURRENT DATE	NEW DATE
Petitioners to file Observations on Cross-Examination (10 pages per witness) and any cited Exhibits	April 17, 2018	April 16, 2018 by 5 pm EDT
Request for Oral Argument	April 17, 2018	April 17, 2018
Parties to file Motions to Exclude Evidence	April 17, 2018	April 17, 2018
Petitioners to file Sur-Reply to Patent Owner's Contingent Motion to Amend	April 19, 2018	April 19, 2018
Patent Owner to file Objections to Evidence in Petitioner's Sur-Reply	N/A	April 23, 2018
Responses to April 16 Observations on Cross-Examination (10 pages per witness)	April 24, 2018	April 24, 2018
Parties to file Oppositions to April 17 Motions to Exclude Evidence	April 24, 2018	April 24, 2018
Petitioners to serve Supplemental Evidence on Motion to Amend Sur-Reply	N/A	April 25, 2018

Deposition of Petitioner's Sur-Reply Declarant ¹	N/A	April 27, 2018
Patent Owner to file Supplemental Motion to Exclude Evidence Submitted with Motion to Amend Sur-Reply (10 pages)	N/A	April 30, 2018
Patent Owner to file Observations on Cross-Examination (10 pages per witness) on Motion to Amend Sur-Reply	N/A	April 30, 2018
Replies to April 17 Motions to Exclude Evidence	April 30, 2018	April 30, 2018
Petitioners to file Opposition to Novartis's April 30 Supplemental Motion to Exclude (10 pages)	N/A	May 3, 2018
Petitioners to file Response to Novartis's April 30 Observations on Cross-Examination (10 pages per witness)	N/A	May 3, 2018
Date by which Demonstratives Must Be Served	May 4, 2018	May 4, 2018
Patent Owner to file Reply in support of its April 30 Supplemental Motion to Exclude Evidence (5 pages)	N/A	May 5, 2018

This stipulation does not affect or otherwise modify the date for DUE DATE

7 as currently set forth in the Board's January 31, 2018 Order (Paper No. 46).

Dated: April 13, 2018

/Steven W. Parmelee/
Steven W. Parmelee
Reg. No. 31,990

¹ This deposition shall occur in Seattle. Patent Owner has agreed to this date on the condition that Petitioners only file the declaration of a single declarant in support of

Case IPR2017-00854
Patent 9,187,405

/Jane M. Love, Ph.D./
Reg. No. 42,812
Lead Counsel for Patent Owners
Gibson, Dunn & Crutcher LLP
200 Park Avenue
New York, New York 10166-0193
jlove@gibsondunn.com
Tel: 212-351-3922

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I hereby certify that on April 13, 2018, a true and accurate copy of JOINT STIPULATION TO MODIFY SCHEDULING ORDER was served via electronic mail on the following counsel of record for Petitioners:

For Apotex:

Steven W. Parmelee: sparmelee@wsgr.com
Michael T. Rosato: mrosato@wsgr.com
Jad A. Mills: jmills@wsgr.com

Wilson Sonsini Goodrich & Rosati
701 Fifth Avenue, Suite 5100
Seattle, WA 98104
Telephone: 206-883-2542

For Argentum:

Teresa Stanek Rea: trea@crowell.com
Deborah H. Yellin: dyellin@crowell.com
Shannon M. Lentz: slentz@crowell.com
Tyler C. Liu: TLiu@agpharm.com

Crowell & Moring LLP
Intellectual Property Group
1001 Pennsylvania Ave, NW
Washington, DC 20004-2595
(202) 624-2620

For Sun:

Samuel Park: SPark@winston.com
Charles B. Klein: CKlein@winston.com
Sharick Naqi: SNaqi@winston.com

Winston & Strawn LLP
35 W. Wacker Drive

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.