

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 A.G.,

Patent Owner.

IPR 2017-00854¹
Patent No. 9,187,405

**PETITIONER ARGENTUM'S MOTION TO ACCEPT SUBMISSION
PURSUANT TO 37 C.F.R. § 42.6(b)**

On August 16, 2018, Petitioner Argentum filed a Notice of Appeal in IPR2017-00854 with the Office via courier (Appendix A). Due to the unavailability of PTAB E2E and PALM, Petitioner Argentum was unable to e-file the Notice of Appeal. Petitioner Argentum used the alternative method suggested

¹ Cases IPR2017-01150, IPR2017-01946, and IPR 2017-01929 have been joined with this proceeding.

by the Office, and served the Notice of Appeal on opposing counsel via email on August 16, 2018, and then notified the Board of this service by email the same day (Appendix B).

As PTAB E2E is now available, as of today, August 21, 2018, Petitioner Argentum files this motion and respectfully requests that the Board accept the Notice of Appeal and accord it the filing date on which it was served, August 16, 2018 (see 37 C.F.R. § 42.6(b)).

Date: August 21, 2018

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document entitled
PETITIONER ARGENTUM'S MOTION TO ACCEPT SUBMISSION
PURSUANT TO 37 C.F.R. § 42.6(b) and accompanying appendices were served
electronically via email on August 21, 2018 to Patent Owner's counsel of record
and counsel of record for Petitioners at the following:

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Appendix A

Crowell & Moring LLP

Today's Date: August 16, 2018

FILED VIA HAND CARRY TO THE PTO WINDOW

Appeal from Final Written Decision of IPR2017-00854
USP 9,187,405

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

X Petitioner Argentum's Notice of Appeal to the United States Court of Appeals for the
Federal Circuit

X
X
X
X
X



Director of the U.S. Patent and Trademark Office
c/o Office of the General Counsel
P.O. Box 1450
Alexandria, Virginia 22313-1450

Initials:dhy

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