

UNITED STATES PATENT AND TRADEMARK OFFICE  
\_\_\_\_\_  
BEFORE THE PATENT TRIAL AND APPEAL BOARD  
\_\_\_\_\_

CELLTRION, INC.,  
Petitioner,

v.

GENENTECH, INC.,  
Patent Owner.  
\_\_\_\_\_

Case IPR2017-01373 (Patent 6,407,213 B1)  
Case IPR2017-01374 (Patent 6,407,213 B1)<sup>1</sup>  
\_\_\_\_\_

Before SHERIDAN K. SNEDDEN, ZHENYU YANG, and  
ROBERT A. POLLOCK, *Administrative Patent Judges*.

POLLOCK, *Administrative Patent Judge*.

ORDER  
Authorizing Briefing on Motion to Strike  
37 C.F.R. § 42.5

\_\_\_\_\_  
<sup>1</sup> This order addresses issues that are common to both cases. We, therefore, issue a single order that has been entered in each case.

A conference call in the above proceedings was held on June 18, 2018, among respective counsel for Petitioner and Patent Owner, and Judges Pollock, Snedden, and Yang. The purpose of the call was to discuss Patent Owner's request for authorization to file a motion to strike certain arguments and evidence cited in Petitioner's May 25, 2018 Reply Brief relating to Foote reference (Ex. 1193)<sup>2</sup>. A court reporter was on the call. Counsel for Patent Owner will file a copy of the transcript when it becomes available to maintain the record of the proceedings. Considering the arguments set forth on the call, we agree with Patent Owner that briefing on this issue is warranted.

Accordingly, it is hereby:

ORDERED that Patent Owner is authorized to file a motion to strike portions of Petitioner's Reply and associated evidence in each of the instant proceedings. Patent Owner's motion is limited to 10 pages and shall be filed on or before the close of business on Friday, June 22, 2018.

FURTHER ORDERED that Petitioner is authorized to file, in each of the instant proceedings, a response to Patent Owner's motion. Petitioner's responsive brief is limited to 10 pages and shall be filed on or before the close of business on Friday, July 7, 2018.

---

<sup>2</sup> This exhibit has the same number in both cases.

IPR2017-01373 (Patent 6,407,213 B1)

IPR2017-01374 (Patent 6,407,213 B1)

PETITIONER:

Cynthia Hardman

Elizabeth J. Holland

Robert V. Cerwinski

Linnea P. Cipriano

Sarah J. Fischer

GOODWIN PROCTER LLP

chardman@goodwinlaw.com

eholland@goodwinlaw.com

rcerwinski@goodwinlaw.com

lcipriano@goodwinlaw.com

sfischer@goodwinlaw.com

PATENT OWNER:

David L. Cavanaugh

Lauren V. Blakely

Robert J. Gunther, Jr.

Andrew J. Danford

Lisa J. Pirozzolo

Kevin S. Prussia

WILMER CUTLER PICKERING HALE and DORR LLP

David.Cavanaugh@wilmerhale.com

Lauren.Blakely@wilmerhale.com

Robert.Gunther@wilmerhale.com

Andrew.Danford@wilmerhale.com

Lisa.Pirozzolo@wilmerhale.com

Kevin.Prussia@wilmerhale.com

Adam R. Brausa

Daralyn J. Durie

DURIE TANGRI LLP

abrausa@durietangri.com

ddurie@durietangri.com