

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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Taro Pharmaceuticals U.S.A., Inc.  
Petitioner,

v.

Apotex Technologies, Inc.  
Patent Owner

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Case No.: IPR2017-01446

Patent No. 7,049,328

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**JOINT MOTION TO LIMIT PETITION**

Mail Stop PATENT BOARD  
Patent Trial and Appeal Board  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

On July 2, 2018, the Board ordered the parties to confer to discuss the Board's modified institution decision, instituting *inter partes* review on all of the challenged claims and all of the grounds presented in the petition. (Paper 50.) The parties have so conferred and have agreed to file this Joint Motion to Limit the Petition by removing the claims or grounds upon which the Board did not institute in its Decision on Institution.

The parties have therefore agreed to limit the petition and the entire proceeding to challenge the patentability of the following claims of U.S. Patent 7,049,328 on the following grounds, as originally instituted by the Board (Paper 7 at 41):

References	Basis	Claims Challenged
Hoffbrand 1998	§ 102(b)	1, 2, 4–11, 13–17, 19
Olivieri Abstract 1995	§ 102(b)	1, 2, 4–11, 13–17, 19
Olivieri 1995	§ 102(b)	1, 2, 4–11, 13–17, 19
Hoffbrand 1998	§ 103(a)	1, 2, 4–17, 19
Olivieri Abstract 1995	§ 103(a)	1, 2, 4–17, 19
Olivieri 1995	§ 103(a)	1, 2, 4–17, 19

Dated: July 9, 2018

Respectfully submitted,

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## CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that on this 9<sup>th</sup> day of July, 2018, I caused to be served a true and correct copy of the foregoing “JOINT MOTION TO LIMIT PETITION” via electronic mail on the following attorneys of record:

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By: /Sarah Fink/  
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