

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Pfizer, Inc.,
Petitioner,

v.

GENENTECH, INC.,
Patent Owner.

Case IPR2017-01488
Patent 6,407,213

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

POLLOCK, *Administrative Patent Judge*.

ERRATUM

Institution of Inter Partes Review
37 C.F.R. § 42.108

An error was made in the conclusory section (IV. ORDER) of the Board's December 1, 2017 Decision (Paper 27) omitting claims 73, 74, and 77 under 35 U.S.C. §103, otherwise identified as subject to institution of *inter partes* review.

In addition, the order commencing *inter partes* review incorrectly identified the patent at issue as “158.” The following correction of the conclusory section corrects the errors contained in the Board’s Decision of December 1, 2017:

IV. ORDER

Accordingly, it is

ORDERED that pursuant to 35 U.S.C. § 314, an inter partes review is hereby instituted on the following grounds:

1. claims 1, 2, 25, 29, 63, 66, 67, 71, 72, 75, 76, 80, and 81, as anticipated by Kurrle;
2. claims 1, 2, 4, 25, 29, 62–64, 66, 67, 69, 71, 72, 75, 76, 78, 80, and 81, as obvious over the combination of Kurrle and Queen 1990;
3. claims 1, 2, 4, 29, 62–64, 80, and 81 as anticipated by Queen 1990;
4. claim 12 as obvious over the combination of Kurrle, Queen 1990, and Furey;
5. claims 73 and 77 as obvious over the combination of Kurrle, Queen 1990, and Chothia & Lesk;
6. claim 74 as obvious over the combination of Kurrle, Queen 1990, and Chothia 1985;
7. claims 65 and 79 as obvious over the combination of Kurrle, Queen 1990, Chothia & Lesk, and Chothia 1985;

8. claims 30, 31, 33, and 42 as obvious over the combination of Queen 1990 and Hudziak;
9. claim 42 as obvious over the combination of Queen 1990, Furey, and Hudziak; and
10. claim 60 as obvious over the combination of Queen 1990, Chothia & Lesk, and Hudziak; and

FURTHER ORDERED that no other ground of unpatentability is authorized in this inter partes review;

FURTHER ORDERED that pursuant to 35 U.S.C. § 314(a), *inter partes* review of the '213 patent is hereby instituted commencing on the entry date of this Order, and pursuant to 35 U.S.C. § 314(c) and 37 C.F.R. § 42.4, notice is hereby given of the institution of a trial; and

FURTHER ORDERED that the parties shall, within two weeks of the entry date of this Order, file a joint statement indicating which, if any, portions of this Decision are requested to remain sealed subject to the protective order entered in this case.

Case IPR2017-01488
Patent No. 6,407,213

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