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Subject: RE: IPR2017-01592
Date: Friday, August 17, 2018 1:06:04 PM

Counsel,

Patent Owner's Observations on Cross-Examination of Allan J. Pantuck, M.D., were due, and timely filed, on August 8, 2018. The U.S. Patent and Trademark Office's August 10, 2018 updates to the Office Patent Trial Practice Guide do not indicate that filing of a sur-reply in place of such Observations is intended to be retroactive. Accordingly, Patent Owner's request is denied. No conference is necessary.

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From: Stringham, Jared <Jstringham@fchs.com>
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Subject: IPR2017-01592

Dear Judges Snedden, Pollock, and Harlow,

In view of the U.S. Patent and Trademark Office's recent updates to the Office Patent Trial Practice Guide published on August 10, 2018, which replaced the previous practice of filing observations on cross-examination with a sur-reply, Patent Owner respectfully requests authorization from the Board to file a sur-reply in place of Novartis's Patent Owner Observations on Cross-Examination of Allan J. Pantuck, M.D., filed on August 8, 2018 (Paper 60).

Patent Owner has conferred with Petitioner about Patent Owner's intent to request a sur-reply. Petitioner indicated that it would oppose Patent Owner's request.

Counsel for Patent Owner and Petitioner are available for a conference call on Thursday, August 16 from 10:00 am to 1:00 pm EST or Friday, August 17 from 10:00 am to 4:00 pm EST, or on an alternate day that is convenient for the Board. Patent Owner appreciates the Board's consideration of this request and looks forward to its response.

Respectfully submitted,
Jared

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