

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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WATSON LABORATORIES, INC.  
Petitioner,

v.

UNITED THERAPEUTICS, CORP.  
Patent Owner.

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Case IPR2017-01622  
Patent 9,339,507 B2

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Before TONI R. SCHEINER, ERICA A. FRANKLIN,  
and DAVID COTTA, *Administrative Patent Judges*.

COTTA, *Administrative Patent Judge*.

ORDER  
Conduct of the Proceedings  
*37 C.F.R. § 42.5*

## I. ANALYSIS

On April 16, 2018, the Board received an email in which Watson Laboratories, Inc. (“Petitioner”) requested authorization to file a replacement Exhibit 1055 in IPR2017-01622 and have the originally-filed Exhibit 1055 expunged from the record. Ex. 3007. In the email Petitioner states: “During the preparation for the deposition of Dr. McDuff, Petitioner’s counsel became aware that Dr. McDuff’s declaration was missing some content that was filed in connection with IPR2017-01621, but not with the otherwise substantively-identical declaration in IPR2017-01622.” *Id.* Petitioner represents that Patent owner does not object to the submission of the corrected exhibit. *Id.*

## II. ORDER

In consideration of the foregoing, it is hereby ORDERED that Petitioner is authorized to file a replacement Exhibit 1055 in IPR2017-01622, wherein such replacement differs from the originally-filed Exhibit 1055 only with respect to the addition of the missing content that was included in the corresponding exhibit filed in IPR2017-01621. It is further ORDERED that the version of Exhibit 1055 filed on June 21, 2017 shall be expunged from the record.

IPR2017-01622  
Patent 9,339,507 B2

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