

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KVK-TECH, INC.,
Petitioner,

v.

SHIRE PLC,
Patent Owner.

Case IPR2018-00290 (Patent 8,846,100 B2)
Case IPR2018-00293 (Patent 9,173,857 B2)¹

Before RAMA G. ELLURU, SHERIDAN K. SNEDDEN, and
DEVON ZASTROW NEWMAN, *Administrative Patent Judges*.

ELLURU, *Administrative Patent Judge*.

ORDER
Conduct of Proceeding
37 C.F.R. § 42.5(a)

¹ This Decision addresses issues that are the same in the above-identified proceedings. We exercise our discretion to issue one Decision to be entered in each proceeding. The parties are not authorized to use this joint heading and filing style in their papers.

IPR2018-00290 (Patent 8,846,100 B2)

IPR2018-00293 (Patent 9,173,857 B2)

On March 7, 2019, the Board ordered (Paper 41, 3) Petitioner and Patent Owner to meet and confer in an attempt to seek an agreed upon resolution (e.g., a motion to file a corrected declaration) with respect to Petitioner filing a declaration without a proper oath (Ex. 1045). By e-mail dated March 12, 2019, Petitioner notified the Board that “Dr. McCracken executed a corrected declaration with a proper oath on February 26, 2019 (EX.1058), and it was served on Patent Owner that same day. Patent Owner marked the corrected declaration of Dr. McCracken at Dr. McCracken’s deposition and deposed Dr. McCracken on the corrected declaration.” In addition, Petitioner requests authorization to file the corrected declaration of Dr. McCracken executed with the proper oath in these cases and attests that Patent Owner does not object to this filing.

Given that Patent Owner does not object, we do not require a motion seeking authorization. We further grant Petitioner authorization to file the corrected declaration of Dr. McCracken executed with the proper oath.

IPR2018-00290 (Patent 8,846,100 B2)

IPR2018-00293 (Patent 9,173,857 B2)

IT IS:

ORDERED that Petitioner is authorized to file the corrected declaration of Dr. McCracken executed with the proper oath.

IPR2018-00290 (Patent 8,846,100 B2)

IPR2018-00293 (Patent 9,173,857 B2)

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