

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MODERNA THERAPEUTICS, INC.,
Petitioner,

v.

PROTIVA BIOTHERAPEUTICS, INC.,
Patent Owner.

Case IPR2018-00680 (Patent 9,404,127)
Case IPR2018-00739 (Patent 9,364,435)¹

JOINT STIPULATION TO MODIFY THE SCHEDULING ORDER

¹ Word-for-word identical papers are filed in each proceeding identified in the caption

Pursuant to the September 12, 2018 Scheduling Order entered in the above-captioned matters, the parties hereto present this Joint Stipulation to move DUE DATES 1 and 2 as follows:

	Previous Date	Revised Date
DUE DATE 1	December 19, 2018	December 21, 2018
DUE DATE 2	March 20, 2019	March 22, 2019

For ease of reference, the undersigned has attached hereto a copy of the Appendix from the Scheduling Order, containing the new deadlines inserted by hand.

DUE DATES 3 through 7 remain unchanged.

Respectfully submitted,

Date: December 12, 2018

/ Michael T. Rosato /
Michael T. Rosato, Lead Counsel
Reg. No. 52,182

CERTIFICATE OF SERVICE

I certify that the foregoing Joint Stipulation to Modify the Scheduling Order was served on December 12, 2018, on the Petitioner at the electronic service addresses of the Petitioner as follows:

Michael Fleming
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Respectfully submitted,

Date: December 12, 2018

/ Michael T. Rosato /
Michael T. Rosato, Lead Counsel
Reg. No. 52,182

Patent owner's response to the petition

Patent owner's motion to amend the patent

~~DECEMBER 19, 2018~~
DECEMBER 21, 2018

DUE DATE 2 ~~March 11, 2019~~

Petitioner's reply to patent owner's response to petition

~~MARCH 20, 2019~~
MARCH 22, 2019

Petitioner's opposition to motion to amend

DUE DATE 3 April 10, 2019

Patent owner's sur-reply to reply

Patent owner's reply to opposition to motion to amend

DUE DATE 4 May 10, 2019

Petitioner's sur-reply to reply to opposition to motion to amend

Motion to exclude evidence

Request for oral argument (may not be extended by stipulation)

DUE DATE 5 May 17, 2019

Opposition to motion to exclude

DUE DATE 6 May 24, 2019

Reply to opposition to motion to exclude

Request for prehearing conference

DUE DATE 7 June 6, 2019

Oral argument (if requested)