

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ELI LILLY AND COMPANY,
Petitioner,

v.

TEVA PHARMACEUTICALS INTERNATIONAL GMBH,
Patent Owner.

Case IPR2018-01427
Patent 8,597,649 B2

**PATENT OWNER'S PETITION TO EXPEDITE
UNDER 37 C.F.R. § 1.182**

via E2E and Hand Carry

Commissioner for Patents

United States Patent and Trademark Office Customer Service Window

Mail Stop Petitions

Randolph Building

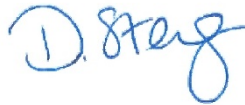
401 Dulany Street

Alexandria, VA 22314

Patent Owner Teva Pharmaceuticals International GmbH (“Teva”) hereby requests expedited processing of the petition filed herewith: PATENT OWNER’S PETITION UNDER 37 C.F.R. § 1.181(A)(3) INVOKING THE SUPERVISORY AUTHORITY OF THE DIRECTOR. The reason for seeking expedited treatment of Teva’s petition under 37 C.F.R. § 1.181(a)(3) is to conserve agency and party resources by avoiding further steps in the above captioned proceeding while an Appointments Clause violation exists, as explained in Teva’s Rule 1.181(a)(3) petition referenced above. The relief requested in Teva’s Rule 1.181(a)(3) petition is a stay of the IPR pending issuance of the mandate in *Arthrex, Inc. v. Smith & Nephew, Inc.*, — F.3d —, 2019 WL 5616010 (Fed. Cir. Oct. 31, 2019).

Applicants authorize the payment of fees for this petition under 37 C.F.R. § 1.17(f) in the amount of \$400 to be charged to Deposit Account No. 19-0036.

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Date: November 21, 2019
1100 New York Avenue, NW
Washington, DC 20005
(202) 371-2600

Deborah Sterling, Ph.D.
Lead Counsel for Patent Owner
Registration No. 62,732

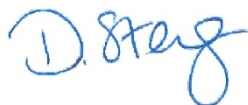
CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e))

The undersigned hereby certifies that the above-captioned “PATENT OWNER’S PETITION TO EXPEDITE UNDER 37 C.F.R. § 1.182” was served in its entirety on November 21, 2019, upon the following parties via electronic mail:

William B. Raich
Erin M. Sommers
Pier D. DeRoo
Yieyie Yang
John M. Williamson
Finnegan, Henderson, Farabow,
Garrett & Dunner, LLP
901 New York Avenue, NW
Washington, DC 20001
william.raich@finnegan.com
erin.sommers@finnegan.com
pier.deroo@finnegan.com
yieyie.yang@finnegan.com
john.williamson@finnegan.com

Sanjay M. Jivraj
Mark J. Stewart
Eli Lilly and Company
Lilly Corporate Center Patent Dept.
Indianapolis, IN 46285
jivraj_sanjay@lilly.com
stewart_mark@lilly.com

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Date: November 21, 2019
1100 New York Avenue, NW
Washington, DC 20005
(202) 371-2600

Deborah Sterling, Ph.D.
Lead Counsel for Patent Owner
Registration No. 62,732