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IPR2018-01675, Paper No. 14
IPR2018-01676, Paper No. 12
IPR2018-01678, Paper No. 12
Entered: January 23, 2019

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC.,
Petitioner,

v.

SANOFI-AVENTIS DEUTSCHLAND GMBH,
Patent Owner.

Cases

IPR2018-01675 (Patent 8,603,044 B2)
IPR2018-01676 (Patent 8,603,044 B2)
IPR2018-01678 (Patent 8,992,486 B2)¹

Before HYUN J. JUNG, BART A. GERSTENBLITH, and
JAMES J. MAYBERRY, *Administrative Patent Judges*.

GERSTENBLITH, *Administrative Patent Judge*.

ORDER

37 C.F.R. § 42.108(c)

¹ This Order is entered in each case. The parties are not authorized to use a multiple-case caption.

IPR2018-01675 (Patent 8,603,044 B2)
IPR2018-01676 (Patent 8,603,044 B2)
IPR2018-01678 (Patent 8,992,486 B2)

On January 10, 2019, Petitioner Mylan Pharmaceuticals Inc. requested authorization to file a reply to Patent Owner Sanofi-Aventis Deutschland GmbH's Preliminary Response in each of the above-captioned proceedings. A conference call was held on January 15, 2019, between counsel for each party and Judges Jung, Gerstenblith, and Mayberry. A transcript of the call was prepared and filed as an exhibit (Ex. 1036) in each proceeding. The transcript reflects the details of the call that are not repeated here. For the reasons explained during the call, we find good cause to authorize a limited reply by Petitioner in each proceeding to address Patent Owner's arguments under 35 U.S.C. § 314.²

It is hereby:

ORDERED that Petitioner is authorized to file a limited reply to the 35 U.S.C. § 314 arguments raised in Patent Owner's Preliminary Response in each proceeding; and

FURTHER ORDERED that each reply shall be limited to twelve (12) pages and shall be filed by January 30, 2019.

² Patent Owner's argument includes discussion of 35 U.S.C. § 324, which applies to post-grant review proceedings. To the extent Petitioner chooses to respond to arguments based on § 324, Petitioner may do so as well.

IPR2018-01675 (Patent 8,603,044 B2)

IPR2018-01676 (Patent 8,603,044 B2)

IPR2018-01678 (Patent 8,992,486 B2)

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