

From: [Jim Trainor](#)
To: [Adam LaRock](#); [Trials](#)
Cc: [Dennies Varughese](#); [Tyler Liu](#); [Liz Hagan](#); [RJ Shea](#)
Subject: RE: Amneal Pharms et al. v. Almirall LLC, IPR2019-00207
Date: Friday, August 14, 2020 2:23:42 PM
Attachments: [image001.png](#)
[image002.png](#)

Dear Board,

In response to Petitioners' July 27, 2020 and August 13, 2020 e-mails, Patent Owner respectfully submits that the Board should not expunge Exhibits 2071 and 2072 from the IPR Record. First, Exhibits 2071 and 2072 should not be considered "new evidence" since they are cites to a public record, which were attached Patent Owner's Request for Rehearing as Exhibits for the Board's convenience. Second, the Request for Rehearing made a showing of "good cause." Exhibits 2071 and 2072 were submitted at first opportunity, and Patent Owner's Request for Rehearing established the relevance of these Exhibits to Patent Owner's argument in support thereof. Thank you kindly in advance for your attention and consideration here.

JIM TRAINOR

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From: Adam LaRock [mailto:ALAROCK@sternekessler.com]
Sent: Monday, July 27, 2020 6:52 PM
To: trials@uspto.gov
Cc: Dennies Varughese <dvarughese@sternekessler.com>; Tyler Liu <TLIU@sternekessler.com>; Jim Trainor <jtrainor@fenwick.com>; Liz Hagan <ehagan@fenwick.com>; RJ Shea <RShea@fenwick.com>
Subject: Amneal Pharms et al. v. Almirall LLC, IPR2019-00207

**** EXTERNAL EMAIL ****

Dear Board,

In view of the Board's Decision Denying Patent Owner's Request for Rehearing, Petitioners respectfully request that the Board expunge Exhibits 2071 and 2072 from the record. Exhibits 2071 and 2072 were not of record at the time Patent Owner filed its Request for Rehearing on June 29, 2020, and Patent Owner has not made a showing of "good cause" to admit this new evidence into the record. Because Exhibits 2071 and 2072 were filed out-of-time and Patent Owner did not follow the proper procedure for admitting new evidence with its Request for Rehearing, Petitioners respectfully request that Exhibits 2071 and 2072 be expunged. We contacted counsel for Patent Owner on Thursday, July 23 and Friday, July 24 to inquire whether Patent Owner intended to oppose Petitioners' request. Patent Owner did not respond.

Counsel for Patent Owner is copied.

Respectfully,
Adam LaRock
(Backup Counsel for Petitioners)



Adam LaRock

Director

Sterne, Kessler, Goldstein & Fox P.L.L.C.

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