

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC.,
Petitioner,

v.

MERCK SHARP & DOHME CORP.,
Patent Owner.

Case No. IPR2020-00040
U.S. Patent No. 7,326,708

**JOINT NOTICE OF STIPULATION TO ADJUST SCHEDULE AND
[PROPOSED] ORDER**

Pursuant to the email from the Board on June 9, 2020, in which the Board instructed the Parties to file a stipulation and proposed order to memorialize requested changes to the Scheduling Order, Patent Owner Merck Sharp & Dohme Corp. and Petitioner Mylan Pharmaceuticals Inc. hereby notify the Board that they have stipulated to the requested changes to the Scheduling Order set forth below. The Parties note that the following adjusted schedule only reflects stipulated changes to the portion of Due Date 2 related to Petitioner's opposition to a motion to amend and the portion of Due Date 3 related to Patent Owner's reply to an opposition to a motion to amend. The remaining dates remain unchanged. In the Board's email dated June 9, 2020, the Board preliminarily approved the following changes to the schedule:

Due Date No.	Current Due Date¹	Stipulated Due Date
Due Date 1	August 14, 2020	unchanged
Due Date 2(a) ²	October 28, 2020	November 6, 2020
Due Date 2(b) ³	November 6, 2020	unchanged
Due Date 3(a) ⁴	December 9, 2020	December 18, 2020

¹ The Current Due Dates column reflects the changes previously stipulated to by the Parties (Paper 30) for Due Dates 1, 2(b) and 3(b) pursuant to the authorization provided in the Scheduling Order (Paper 22, at 7).

² Due Date 2(a) refers to the portion of Due Date 2 related to Petitioner's opposition to a motion to amend.

³ Due Date 2(b) refers to the portion of Due Date 2 related to Petitioner's reply.

Due Date 3(b) ⁵	December 18, 2020	unchanged
Due Date 4	December 30, 2020	unchanged
Due Date 5	January 20, 2021	unchanged
Due Date 6	January 27, 2021	unchanged
Due Date 7	February 3, 2021	unchanged
Due Date 8	February 11, 2021	unchanged

Date: June 12, 2020

Respectfully submitted,

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⁴ Due Date 3(a) refers to the portion of Due Date 3 related to Patent Owner's reply to an opposition to a motion to amend.

⁵ Due Date 3(b) refers to the portion of Due Date 3 related to Patent Owner's sur-reply.

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[Proposed] ORDER

Conduct of the Proceeding

Pursuant to an agreement and stipulation between the parties, and further to the email from the Board on June 9, 2020, in which the Board instructed the parties to file a stipulation and proposed order to memorialize the aforementioned agreement, the Board is aware that the parties have stipulated to the following changes to the Scheduling Order:

Due Date No.	Current Due Date¹	Stipulated Due Date
Due Date 1	August 14, 2020	unchanged
Due Date 2(a) ²	October 28, 2020	November 6, 2020
Due Date 2(b) ³	November 6, 2020	unchanged
Due Date 3(a) ⁴	December 9, 2020	December 18, 2020
Due Date 3(b) ⁵⁶	December 18, 2020	unchanged
Due Date 4	December 30, 2020	unchanged
Due Date 5	January 20, 2021	unchanged

¹ The Current Due Dates column reflects the changes previously stipulated to by the Parties (Paper 30) for Due Dates 1, 2(b) and 3(b) pursuant to the authorization provided in the Scheduling Order (Paper 22, at 7).

² Due Date 2(a) refers to the portion of Due Date 2 related to Petitioner's opposition to a motion to amend.

³ Due Date 2(b) refers to the portion of Due Date 2 related to Petitioner's reply.

⁴ Due Date 3(a) refers to the portion of Due Date 3 related to Patent Owner's reply to an opposition to a motion to amend.

⁵ Due Date 3(b) refers to the portion of Due Date 3 related to Patent Owner's sur-reply.

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