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Subject: IPR2020-00770 || Petitioner's Request for Conference Call to Request Authorization to File Motion to Strike
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Good Afternoon,

Petitioner requests a conference call with the Board to request authorization to file a motion to strike portions of Patent Owner's papers. Specifically, Petitioner requests leave to file a motion to strike seeking the following relief:

1. Deny Patent Owner the right, as requested in its Sur-Reply, to "withdraw" UTC's "statements" from its Patent Owner Response regarding isolation of the treprostinil intermediate prior to salt formation, as prejudicial due to their late timing and unclear. Or, in the alternative, strike Patent Owner's construction in its POR of the phrase "contacting the solution comprising treprostinil from step(b) with a base to form a salt of treprostinil" requiring no isolation prior to salt formation (POR, 11) and strike all arguments in the Patent Owner Response, expert declarations (Exhibits 2002, 2025), and Sur-Reply relying on the POR's proposed construction.
2. Strike portions of the Patent Owner Response, expert declarations (Exhibits 2002, 2025), and Sur-Reply requiring actual storage under claims 6 and 7, because UTC's claim construction expert in the parallel district court proceedings testified (Exhibit 2034) that no actual storage was required by the claim language.

Petitioner believes briefing of the dispute (and detailed identification of the specific portions of the papers and exhibits at issue) would be helpful to the Board, rather than waiting to raise the issues at oral argument.

Petitioner conferred with Patent Owner, and Patent Owner has stated it will oppose. Counsel for Patent Owner and Petitioner are available for a call with the Board on:

- April 29 after 1pm ET;
- April 30 before 11am ET; or
- April 30 after 3pm ET.

Sincerely,
Deepa Kannappan
Counsel for Petitioner
(Admitted pro hac vice)

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