

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GLAXOSMITHKLINE BIOLOGICALS SA  
Petitioner,

v.

PFENEX INC.,  
Patent Owner.

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Case IPR2020-00962  
Patent 8,530,171 B2

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Before ULRIKE W. JENKS and SUSAN L. C. MITCHELL,  
*Administrative Patent Judges.*

MITCHELL, *Administrative Patent Judge.*

ORDER  
Conduct of the Proceeding  
*37 C.F.R. § 42.5(c)(2)*

Patent Owner Pfenex, Inc. (“Pfenex”) requested a one-month extension of time for filing its Preliminary Response in this proceeding. *See* Ex. 3001. Pfenex states that good cause exists for the extension because another case involving the same parties and a motion to amend has an oral hearing set at essentially the same time as Pfenex’s Preliminary Response is due in this case. *Id.* Pfenex also points out that its expert is the same in both cases and coordinating efforts with that expert in these cases during the COVID-19 pandemic has been challenging. *Id.*

Pfenex states that Petitioner GlaxoSmithKline SA (“GSK”) does not oppose this extension. *Id.* On August 12, 2020, we granted Pfenex’s request for a one-month extension of time, *see id.*, and are entering this Order to confirm such grant for good cause as described above. 37 C.F.R. § 42.5(c)(2).

### *ORDER*

Accordingly, it is

ORDERED that Pfenex’s request for a one-month extension of time to file its Preliminary Response in this proceeding is *granted*.

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