

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC., CELLTRION, INC., and
APOTEX, INC.

Petitioners,

v.

REGENERON PHARMACEUTICALS, INC.,
Patent Owner.

IPR2021-00880, Patent No. 9,669,069 B2¹
IPR2021-00881, Patent No. 9,254,338 B2²

Before ERICA A. FRANKLIN, JOHN G. NEW, and
SUSAN L. C. MITCHELL, *Administrative Patent Judges*.

NEW, *Administrative Patent Judge*.

REVISED JOINT SCHEDULING ORDER³

¹ IPR2022-00257 and IPR2022-00301 have been joined with this proceeding.

² IPR2022-00258 and IPR2022-00298 have been joined with this proceeding.

³ This Scheduling Order sets due dates that are identical in the listed cases. The combined caption is for administrative convenience only and does not indicate that IPR2021-00880 and IPR2021-00881 have been joined. The

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parties are not authorized to use this caption without express permission of the Board.

A. DUE DATES

This Revised Scheduling Order sets the remaining due dates for the parties to take action over the remaining course of this proceeding.

1. DUE DATE 2

Petitioners may file a reply to the Patent Owner's response.

Petitioners may file an opposition to the motion to amend.

2. DUE DATE 3

Patent Owner may file a sur-reply to Petitioners' reply.

Patent Owner may also file either:

- a. a reply to the opposition to the motion to amend and preliminary board guidance (if provided); or
- b. a revised motion to amend.

NOTE: If Patent Owner files neither of the above papers (a reply to the opposition or a revised motion to amend), and the Board has issued preliminary guidance, Petitioners may file a reply to the preliminary guidance, no later than three (3) weeks after DUE DATE

3. Patent Owner may file a sur-reply to Petitioners' reply to the preliminary guidance no later than three (3) weeks after Petitioners' reply.

3. DUE DATE 4

Either party may file a request for oral argument (may not be extended by stipulation).

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4. DUE DATE 5

Either party may file a motion to exclude evidence (37 C.F.R. § 42.64(c)).

Petitioners may file a sur-reply to the opposition to the motion to amend.

5. DUE DATE 6

Either party may file an opposition to a motion to exclude evidence.

Either party may request that the Board hold a pre-hearing conference.

6. DUE DATE 7

Either party may file a reply to an opposition to a motion to exclude evidence.

7. DUE DATE 8

The oral argument (if requested by either party) shall be held on this date. Approximately one month prior to the argument, the Board will issue an order setting the start time of the hearing and the procedures that will govern the parties' arguments.

DUE DATE APPENDIX

DUE DATE 2 May 27, 2022

Petitioners' reply to Patent Owner's response to the petition

Petitioners' opposition to Patent Owner's motion to amend

DUE DATE 3 July 6, 2022

Patent Owner's sur-reply to Petitioners' reply to the response to the
petition

Patent Owner's reply to Petitioners' opposition to the motion to
amend OR Patent Owner's revised motion to amend⁴

DUE DATE 4 July 8, 2022

Request for oral argument (may not be extended by stipulation)

DUE DATE 5 July 20, 2022

Petitioners' sur-reply to the opposition to the motion to amend

Motion to exclude evidence

DUE DATE 6 July 27, 2022

Opposition to motion to exclude

Request for pre-hearing conference

DUE DATE 7 August 2, 2022

Reply to opposition to motion to exclude

DUE DATE 8 August 10, 2022

Oral argument (if requested)

⁴ If Patent Owner files neither a reply to Petitioners' opposition to the MTA nor a revised MTA, the parties are directed to Section A(2) above.

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