UNITED STATES PATENT AND	TRADEMARK OFFICE
BEFORE THE PATENT TRIAL	AND APPEAL BOARD
APOTEX IN Petitioners	
v.	
NOVO NORDIS Patent Own	*
Case IPR2024-0 Patent 10,335	

PATENT OWNER'S OPPOSITION TO PETITIONER'S MOTION FOR JOINDER



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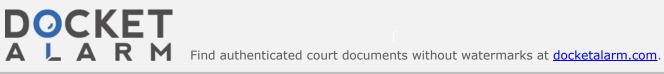


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Patent Owner Novo Nordisk A/S ("PO") submits this Opposition to Petitioner's four-month-late Motion for Joinder ("Motion"/Pap.5) and its alternative request to "consolidate" its late proceeding with IPR2023-00724 (the "Mylan IPR")—an IPR in which a POR has already been filed, and in which a Reply and Sur-Reply would be filed, and oral argument presented, long before any institution decision would even be due in this case.

I. Petitioner Does Not Establish Good Cause For Its Untimely Joinder Motion

No special circumstances exist that would justify waiver of the one-month time period for requesting joinder. *See* 37 C.F.R. §42.5(b). Petitioner filed its copycat petition and motion for joinder on March 1, 2024, almost four months after the deadline to move to join IPR2023-00724, and about a month and a half after the Patent Owner Response was filed in IPR2023-00724. 37 C.F.R. §41.122.¹

¹ Petitioner's motion for joinder was, itself, also unauthorized as it was not filed within the Rule 41.122(b) deadline, and Petitioner has not sought (nor shown the required basis for) permission to file its motion out of time.



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