

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ALTAIRE PHARMACEUTICALS, INC.,  
Petitioner,

v.

PARAGON BIOTECK, INC.,  
Patent Owner.

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Case PGR2015-00011  
Patent 8,859,623 B1

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Before ZHENYU YANG, *Administrative Patent Judge*.

ORDER  
Conduct of the Proceeding  
*37 C.F.R. § 42.5*

The Board has reviewed Patent Owner's Preliminary Response (Paper 7) and seeks additional briefing from Petitioner on whether Sawaya Aquebogue is a real party-in-interest that should have been identified in the Petition pursuant to 35 U.S.C. § 322(a)(2). The brief, exclusive of any exhibits and the caption, shall not exceed ten pages. No further briefing is authorized at this time.

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Accordingly, it is

ORDERED that no later than ten business days after entry of this Order, Petitioner is authorized to file a brief not exceeding ten pages, as authorized by this Order. The brief shall respond to the issue of whether Sawaya Aquebogue is a real party-in-interest, as raised in the Patent Owner's Preliminary Response;

FURTHER ORDERED that no further briefing is authorized at this time.

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Patent 8,859,623 B1

PETITIONER:

Dipu A. Doshi  
DICKSTEIN SHAPIRO LLP  
doshid@dicksteinshapiro.com

PATENT OWNER:

Michael Rosato  
Steven W. Parmelee  
WILSON SONSINI GOODRICH & ROSATI  
mrosato@wsgr.com  
sparmelee@wsgr.com