

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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KVK-TECH, INC. and  
FLAT LINE CAPITAL, LLC,  
Petitioners,

v.

SILVERGATE PHARMACEUTICALS, INC.,  
Patent Owner.

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Case PGR2017-00039  
Patent 9,463,183

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**JOINT MOTION TO LIMIT THE PETITION**

On May 1, 2018, the Board authorized the parties to file a joint motion to limit the petition and to indicate whether the parties continue to consent to entry of adverse judgment as previously indicated. Paper 17.

**I. JOINT AGREEMENT TO LIMIT THE PETITION**

The parties jointly move to limit the petition by removing the two grounds asserted under 35 U.S.C. 112 against claims 1-13.

**II. CONTINUED CONSENT FOR ADVERSE JUDGMENT**

The parties jointly continue to consent to entry of adverse judgment against the petitioners, KVK-Tech, Inc. and Flat Line Capital, LLC, pursuant to 37 CFR §42.73(b)(4), as advanced in Paper 16.

Respectfully submitted,

/ Zachary D. Silbersher /  
Zachary D. Silbersher  
Reg. No. 62,090  
Lead Counsel for Petitioner

Respectfully submitted,

/ Richard Torczon /  
Richard Torczon  
Reg. No. 34,448  
First Backup Counsel  
for Patent Owner

May 3, 2018

SERVICE CERTIFICATION

By the petitioner's consent, this Joint Motion To Limit the Petition is served  
via electronic mail on:

Zachary D. Silbersher      zsilbersher@kskiplaw.com

Gaston Kroub                      gkroub@kskiplaw.com

info@kskiplaw.com

Respectfully submitted,

Dated: 3 May 2018

/ Richard Torczon /  
Richard Torczon, Counsel for Silvergate  
Reg. No. 34,448