

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ALIGN TECHNOLOGY, INC.
Petitioner

v.

3SHAPE A/S
Patent Owner

Case No. PGR2018-00103
Patent 9,962,244

**PETITIONER'S SECOND TRANSMITTAL LETTER ACCOMPANYING
SUBMISSION OF SECOND CORRECTED PETITION AND SECOND
CORRECTED BAJAJ DECLARATION (EX. 1003)**

Mail Stop "PATENT BOARD"
Patent Trial and Appeal Board
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Petitioner, Align Technology, Inc. (“Petitioner”), herewith submits a Second Corrected Petition for Post-Grant Review of U.S. Patent No. 9,962,244 (“Second Corrected Petition”) and a Second Corrected Bajaj Declaration (Ex. 1003) to correct an error in the description of a Person of Ordinary Skill in the Art (POSITA) appearing in both the Petition filed October 26, 2018 (Paper 2) and the Corrected Petition filed on October 29, 2018 (Paper 3) and an error in the description of materials relied upon by the expert in the Corrected Bajaj Declaration, filed on October 29, 2018 (also filed as Ex. 1003).

Petitioner intends to request the Board’s permission to file a Motion to Expunge the Petition filed on October 26, 2018 (Paper 2); the Bajaj Declaration filed on October 26, 2018 (also filed as Ex. 1003); the Corrected Petition filed on October 29, 2018 (Paper 3); and the Corrected Bajaj Declaration filed on October 29, 2018 (also filed as Ex. 1003).

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

/Jason D. Eisenberg/

Jason D. Eisenberg (Registration No. 43,447)
Attorney for Petitioner Align Technology, Inc.

Date: October 29, 2018

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
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CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e), 42.205(b))

The undersigned hereby certifies that the above-captioned Align Technology, Inc.'s **PETITIONER'S TRANSMITTAL LETTER ACCOMPANYING SUBMISSION OF SECOND CORRECTED PETITION AND SECOND CORRECTED BAJAJ DECLARATION (EX. 1003)** was served via USPS Express Mail on October 30, 2018, in their entireties on the following:

Buchanan, Ingersoll & Rooney PC
P.O. Box 1404
Alexandria, VA 22313-1404
*Patent owner's correspondence address of record
for U.S. Patent No. 9,962,244*

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

/Jason D. Eisenberg/

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