#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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#### BEFORE THE PATENT TRIAL AND APPEAL BOARD

GRÜNENTHAL GMBH,
Petitioner

V.

ANTECIP BIOVENTURES II LLC,

Patent Owner

Case PGR2017-00008 U.S. Patent No. 9,283,239

PATENT OWNER'S RESPONSE

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IV.	PET	TITION	NER HAS NOT SHOWN BY A PREPONDERANCE OF	
	TH	IE EVI	IDENCE THAT THE CLAIMS OF THE '239 PATENT	
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	A.	conve	written description inquiry asks whether the disclosure eys to those skilled in the art that the inventor had ession of the claimed subject matter.	-
	B.		en description support exists for the dosage range about 80 about 500 mg over a six-month period.	
		1.	The dosage range about 80 mg to about 500 mg within a six- month period is expressly disclosed at column 10, lines 47 and 60–62, and in combination with column 13, lines 27–33.	
		2.	The dosage range about 80 mg to about 500 mg within a six month period is expressly disclosed at column 10, lines 46-62.	
		3.	The dosage range of about 80 mg to about 500 mg over six months is also repeatedly disclosed in the specification by what appear to be nominally variant ranges, based on the use of the term "about".	, ;
		4.	Contrary to petitioner's argument, Example 3 also provides explicit support in the specification for the use of	



		the overall dosage range about 80 mg to about 500 mg to treat CRPS.	23
		5. The disclosure's repeated identification of 80 mg as a lower limit and 500 mg as an upper limit would cause a POSA to recognize that the patentee was in possession of the claimed dosage range administered over a six month period.	27
	C.	The claimed six-month period for a dosage range is expressly disclosed by the '239 specification, and additional emphasis is unnecessary because a POSA would have understood to use a six-month period when administering oral zoledronic acid	34
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