

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMNEAL PHARMACEUTICALS, LLC,
Petitioner,

v.

ENDO PHARMACEUTICALS INC.,
Patent Owner.

Case IPR2014-00361
Patent 8,309,122 B2

Before TONI R. SCHEINER, FRANCISCO C. PRATS, and
JACQUELINE WRIGHT BONILLA, *Administrative Patent Judges*.

BONILLA, *Administrative Patent Judge*.

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

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Patent Owner, Endo Pharmaceuticals Inc., filed timely a Preliminary Response on April 25, 2014 (Paper 6). On April 28, 2014, Patent Owner filed timely a second Preliminary Response (Paper 7) and a Motion to Expunge (Paper 8). In its Motion, Patent Owner moved to expunge the first Preliminary Response filed on April 25, 2014, in favor of its “corrected” Preliminary Response filed concurrently with the Motion. Paper 8, 1. Patent Owner explained that its “corrected” Preliminary Response was identical to the first paper except that it included Figure 1 inadvertently omitted from the first paper. *Id.*; *see also* Paper 7, 9. Petitioner, Amneal Pharmaceuticals, LLC, has expressed no opposition to the Motion to Expunge.

It is hereby

ORDERED that Patent Owner’s Motion to Expunge the Preliminary Response filed on April 25, 2014 (Paper 6) is GRANTED.

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For PETITIONER:

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