

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TORRENT PHARMACEUTICALS LIMITED
Petitioner

v.

UCB PHARMA GMBH
Patent Owner

Patent No. 6,858,650
Filing Date: November 15, 2000
Issue Date: February 22, 2005
Title: STABLE SALTS OF NOVEL DERIVATIVES
OF 3,3-DIPHENYLPROPYLAMINES

Inter Partes Review No. Unassigned

**MOTION FOR JOINDER PURSUANT TO 35 U.S.C. § 315(c), 37 C.F.R. §§
42.22 AND 42.122(b)**

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REGULATIONS

37 C.F.R. § 42.1(b)6
37 C.F.R. §§ 42.221, 2
37 C.F.R. § 42.122(b)1, 2, 3

I. INTRODUCTION

Petitioner Torrent Pharmaceuticals Limited (“Torrent”) moves to join its concurrently filed petition for *inter partes* review of U.S. Patent No. 6,858,650 (“the ‘650 patent”) (“the Torrent IPR”) with the *inter partes* review requested by Mylan Pharmaceuticals Inc. and Mylan Laboratories Limited against the same patent. *See Mylan Pharmaceuticals Inc., et al. v. UCB Pharma GmbH*, IPR2016-00510 (“the Mylan IPR”). The Board instituted trial in the Mylan IPR on July 20, 2016. This Motion for Joinder is timely under 37 C.F.R. §§ 42.22 and 42.122(b), as it is submitted within one month of the date on which the Mylan IPR was instituted.

Joinder is appropriate because of the substantial similarity between the Torrent IPR and the Mylan IPR. The Torrent IPR relies on the *same grounds* as those instituted by the Board in the Mylan IPR. Other factors relevant to joinder also favor granting this motion, including that: (i) the same schedule for various proceedings can be adopted; (ii) Torrent is not advancing any new expert testimony, and thus, discovery will not be impacted by joinder; (iii) joinder will not materially affect the range of issues needing to be addressed by the Board and by the parties in the joined proceedings; (iv) joinder will not prejudice any party; and (v) Torrent is willing to agree to procedural safeguards to minimize burden. *See Kyocera Corp. v. Softview LLC*, IPR2013-00004, Paper 15 at 4 (Apr. 24, 2013);

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