

From: [Trials](#)
To: [Patel, Priyata](#); [Trials](#)
Cc: [BeiGene PGR Service](#); abbviebeigene.lwteam@lw.com
Subject: RE: PGR2024-00009: Request for Authorization (37 C.F.R. § 42.223(a))
Date: Wednesday, May 29, 2024 3:12:23 PM

Counsel:

From the Board –

Petitioner's unopposed request for authorization to file a motion to submit supplemental information is granted.

Petitioner may file its motion by no later than June 5, 2024.

Regards,

Esther Goldschlager
Supervisory Paralegal Specialist
Patent Trial & Appeal Board
U.S. Patent & Trademark Office

From: Patel, Priyata <Priyata.Patel@weil.com>
Sent: Wednesday, May 29, 2024 8:04 AM
To: Trials <Trials@USPTO.GOV>
Cc: BeiGene PGR Service <BeiGene.PGR.Service@weil.com>; abbviebeigene.lwteam@lw.com
Subject: PGR2024-00009: Request for Authorization (37 C.F.R. § 42.223(a))

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Your Honors,

We represent Petitioner in PGR2024-00009. Petitioner respectfully requests authorization from the Board to file a motion to submit supplemental information under 37 C.F.R. § 42.223(a), due no later than 5 business days following any authorization from the Board. Specifically, Petitioner seeks to submit the following supplemental information demonstrating that the *Byrd* reference (Ex. 1009) and the IMBRUVICA Label (Ex. 1058), which serve as the basis for two grounds of unpatentability instituted in this proceeding, are indeed prior art.

- Affidavit of Nathaniel E Frank-White (explaining the Internet Archive's web archives and authenticating a printout of the 2015 archived version of the Protocol (Ex. 1011) that is incorporated by reference in the *Byrd* reference)
- Affidavit of Nathaniel E Frank-White (explaining the Internet Archive's web archives and authenticating a printout of the 2016 archived version of the IMBRUVICA Label (Ex. 1058))

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Ex. 3001

- Affidavit of Nathaniel E Frank-White (explaining the Internet Archive's web archives and authenticating a printout of the 2013 archived version of the New England Journal of Medicine website, including links to the *Byrd* reference (Ex. 1009) and its Supplementary Material (Ex. 1010))

Based on the above representations, Patent Owner states that it would not oppose Petitioner's motion to submit supplemental information should the Board authorize the motion.

Respectfully submitted,

Priyata Patel
Back-up Counsel for Petitioner



Priyata Y. Patel
Pronouns: She/her/hers

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