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Intellectual Property Attorneys

February 03, 2016

To
The Controller of Patents
The Patent Office,
Intellectual Property Building,
Plot No. 32, Sector 14
Dwarka
New Delhi - 110 075

Asst. Controller: Mr. Rajesh Dixit

Re: Pre-grant oppositions in respect of Indian Application No.: 6087/DELNP/2005
Filed on: 27.12.2005
Applicant: GILEAD PHARMASSET LLC
Opponents: Optimus Pharma Ltd, BDR Pharma, India Cares & Natco Pharma
Title: "A (2'R)-2'-DEOXY-2'FLUORO-2'-C-METHYL NUCLEOSIDE"
Our ref: IP 30603/AMT/md

Sub: Scheduled Hearings on 22nd, 23rd and 24th February, 2016

Dear Sir,

On January 22, 2016 we received notices of hearings in referred pre-grant oppositions. Said hearing notices indicate that M/s Rajeshwari & Associates are on record as attorneys for the referred opponents.

Please note that last year when we were served with the notices of opposition in these matters, we had drawn the attention of Ms. H. Rajeshwari to the fact that both she and her colleague Dr. Chitra were on the Power of Attorney dated March 1, 2010 issued by the Applicant and therefore Rajeshwari & Associates could not represent the opponents. Ms. Rajeshwari has communicated to us yesterday as follows:

"I note and learn from your letter that hearings have been fixed in the captioned matters. I had already recused from this matter regardless of whether I perceive such conflict at all".

From this communication it appears that M/S Rajeshwari & Associates had not received the notices of hearings.

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Kindly note that the representatives of the Applicant will be travelling from overseas to New Delhi specifically to attend these hearings. It would be a complete waste of time for the patent office as well as for all related parties if the respective opponents seek adjournments at the hearings either due to lack of representation or inadequate preparation of the new attorneys appointed by them. Any delay in the hearings will be to the detriment of our clients.

In the premise, we humbly request the Ld. Controller to take appropriate steps including notifying the pre-grant opponents and requiring them to have new attorneys on record well before the hearing dates so that the hearings - set for almost three weeks from now take place as scheduled.

Prayed accordingly.

Thanking you,



(Sanjeev K Tiwari)

[K&S PARTNERS]

ATTORNEYS FOR THE APPLICANT

Copy to:

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