



**IN THE MATTER OF the Patent Act R.S.C. 1985, c. P-4,  
as amended**

**AND IN THE MATTER OF Alexion Pharmaceuticals Inc.  
(the "Respondent") and the medicine "Soliris"**

**PANEL ORDER WITH REGARDS TO VARIOUS MATTERS**

Decided by the Hearing Panel on the basis of the written record and oral submissions  
Date of Order: August 5, 2015

1. FURTHER to the Order to provide particulars of June 23, 2015;
2. AND FURTHER to the Amended Response filed by the Respondent on July 17 2015;
3. AND FURTHER to the Amended Reply filed by the Board Staff on July, 31 2015;
4. AND FURTHER to the request made by the Respondent to have certain documents filed by Board Staff in support of the written representations of June 5, 2015, declared confidential;
5. AND FURTHER to the written submissions filed by the Respondent supporting its request to have certain documents declared confidential of July 3, 2015;
6. AND FURTHER to the written submissions on the request to have certain documents declared confidential, filed in reply by Board Staff on July 31, 2015.

**THE BOARD ORDERS THAT:**

1. The Panel will treat Board Staff's Amended Reply dated July 31<sup>st</sup>, 2015 as an Application to Strike ("Application to Strike") paragraphs 37 and 38 (second sentence) of the Respondent's Amended Response dated July 17, 2015 ("Amended Response");
2. If the Respondent wishes to file written submissions responding to the Application to Strike, it must do so on or before September 9, 2015;
3. The Application to Strike will be heard on September 16, 2015, in Ottawa;

4. The Respondent is to advise the Panel and the Parties on or before August 21<sup>st</sup>, 2015 whether it will be seeking relief based on the allegations ("Allegations") made against the Board Staff as set out in paragraphs 37 and 38 of the Amended Response and, if so, to file the necessary application materials on or before September 2<sup>nd</sup>, 2015;
5. In the event the Respondent seeks relief based on the Allegations, Board Staff shall file its written submissions and supporting materials, if any, on or before September 9, 2015;
6. If necessary, any Application for relief sought based upon the Allegations will be heard on September 16, 2015;
7. That Board Staff is granted an extension to September 2<sup>nd</sup>, 2015 to file its Amended Reply to the Amended Response;
8. The issue of confidentiality will also be heard on September 16, 2015, in Ottawa.

DATED in Ottawa, this 5<sup>th</sup> day of August, 2015



Dr. Mitchell Levine