

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ROXANE LABORATORIES, INC. AND  
PAR PHARMACEUTICAL, INC.

Petitioners,

v.

JAZZ PHARMACEUTICALS, INC.

Patent Owner

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Case CBM2014-00175  
Patent 7,765,107

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**UPDATED MANDATORY NOTICES BY  
ROXANE LABORATORIES, INC. AND PAR PHARMACEUTICAL, INC.  
UNDER 37 C.F.R. § 42.8(A)(3); §42.8(B)(2)**

***Mail Stop "PATENT BOARD"***  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Pursuant to 37 C.F.R. §§ 42.8(a)(3) and 42.8(b)(2), Petitioners submit updated mandatory notices regarding related matters. This document in addition to providing further information about a related proceeding responds to the Patent Owner's submission dated January 14, 2015 (CBM2014-00175, Paper 11).

Pursuant to 37 C.F.R. § 42.8(b)(1), Petitioners are the real party in interest as petitioners for the reasons set forth in the Petition.

Pursuant to 37 C.F.R. § 42.8(b)(2) the Decision Denying Institution of Covered Business Method Review (*see* CBM2014-00149) ("the Decision") is a related proceeding in that the patent that is the subject matter of this Petition (United States Patent No. 7,765,107) ("the '107 patent") is from the same patent family as the patents that were the subject of the Decision.

However, the grounds for denial of institution in the Decision turned on the claim language of the patents that are the subject of the Decision as not reciting the required financial step. In contrast, as set forth in the instant Petition (*see* CBM2014-00175), the claims of the '107 patent contain different language concerning insurance payment and cash payments. Thus, the '107 patent claims recite or require method steps "used in the practice, administration, or management of a financial product or service" as defined in Section 18(d)(1) of the AIA. Therefore, Petitioners respectfully submit that merely because the '107 patent has a familial relation to the '730, '059, '182 and '988 patents, the Decision should not affect PTAB's decision in this proceeding.

Therefore, Petitioners respectfully request that the Board institute covered business method review of the '107 patent.

Date: January 22, 2015

Respectfully submitted,

By: /Alan B. Clement (Reg. No. 34,563)/

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**CERTIFICATE OF SERVICE**

**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6(e), the undersigned hereby certify that **UPDATED MANDATORY NOTICES BY ROXANE LABORATORIES, INC. AND PAR PHARMACEUTICAL, INC. UNDER 37 C.F.R. § 42.8(A)(3); §42.8(B)(2)** were served on January 22, 2015 by filing this document through the Patent Review Processing System, as well as e-mailing a copy to [nickcerrito@quinnemanuel.com](mailto:nickcerrito@quinnemanuel.com) and [jvbiernacki@jonesday.com](mailto:jvbiernacki@jonesday.com).

Date: January 22, 2015

Respectfully submitted,

By: /Alan B. Clement (Reg. 34,563)/  
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