

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APOTEX CORP.

Petitioner

v.

ALCON RESEARCH, LTD.

Patent Owner

CASE IPR2013-00428

U.S. Patent No. 8,268,299

APOTEX CORP.'S EXHIBIT LIST

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Patent Trial and Appeal Board

U.S. Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

APOTEX CORP. EXHIBIT LIST
CASE IPR2013-00428

| <i>Apotex Exhibit #</i> | <i>Description</i> |
|-----------------------------|--|
| 1001 | Kabra <i>et al.</i> , U.S. Patent No. 8,268,299, "Self Preserved Aqueous Pharmaceutical Compositions" (filed September 20, 2007; issued September 18, 2012) |
| 1002 | Declaration of Michael J. Miller, Ph.D. |
| 1003 | Xia <i>et al.</i> , WO 2005/097067, "Zinc Preservative Composition and Method of Use" (filed March 24, 2005; published October 20, 2005) |
| 1004 | Chowhan <i>et al.</i> , U.S. Patent No. 6,143,799, "Use of Borate-Polyol Complexes in Ophthalmic Compositions" (filed July 2, 1998; issued November 7, 2000) |
| 1005 | Gadd <i>et al.</i> , "Microorganisms and Heavy Metal Toxicity," <i>Microbial Ecology</i> , 4:303-317 (1978) |
| 1006 | FDA Approved Drug Label "TRAVATAN [®] (travoprost ophthalmic solution) 0.004% Sterile" (2001) |
| 1007 | Certified English translation of Kiyobayashi, JP 2003-104870, "Aqueous Composition" (filed September 28, 2001; issued April 9, 2003) |
| 1008 | File history of U.S. Patent No. 8,268,299 (as of July 5, 2013, and exclusive of foreign patent documents listed in Information Disclosure Statements) |
| 1009 | Kiyobayashi, JP 2003-104870, "Aqueous Composition" (filed September 28, 2001; published April 9, 2003) |
| 1010 | File history of U.S. Patent No. 8,323,630 (as of July 5, 2013, and exclusive of foreign patent documents listed in Information Disclosure Statements) |
| 1011 | File history of U.S. Patent No. 8,388,941 (as of July 5, 2013, and exclusive of foreign patent documents listed in Information Disclosure Statements) |
| 1012 | Sheftel, "Indirect Food Additives and Polymers: Migration and Toxicology," p. 422 (2000) |

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| <i>Apotex Exhibit #</i> | <i>Description</i> |
|------------------------------------|---|
| 1013 | The European Agency for the Evaluation of Medicinal Products, <i>Veterinary Medicines Evaluation Unit</i> , "Polyoxyl Castor Oil, Polyoxyl Hydrogenated Castor Oil Summary Report" (1999) |
| 1014 | "Antimicrobial Effectiveness Testing," in The United States Pharmacopeia 26: The National Formulary 22, pp. 2002-2004 (2003) |
| 1015 | <i>Curriculum Vitae</i> of Michael J. Miller, Ph.D. |
| 1016 | FORM 6-K, SECURITIES AND EXCHANGE COMMISSION, For the month of May 2002, ALCON, INC. |
| 1017 | Affidavit in Support of Motion for <i>Pro Hac Vice</i> Admission of Paul A. Ainsworth Under 37 C.F.R. § 42.10(c) |
| 1018 | Affidavit in Support of Motion for <i>Pro Hac Vice</i> Admission of H. Keeto Sabharwal Under 37 C.F.R. § 42.10(c) |
| 1019 | Transcript of Patent Trial and Appeal Board Teleconference before Judges Green, Elluru, and Prats in Cases IPR2013-00428, IPR2013-00429, IPR2013-00430, Monday, February 3, 2014 |
| 1020 | Confidential Settlement Agreement |

Respectfully submitted,

/Eldora L. Ellison/

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CERTIFICATION OF SERVICE (37 C.F.R. §§ 42.6(e), 42.105(a))

The undersigned hereby certifies that the above-captioned “Apotex Corp.'s Exhibit List” and Exhibit 1020 were served in their entirety on July 14, 2014, upon the following parties via email:

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