

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AKER BIOMARINE AS
Petitioner

v.

NEPTUNE TECHNOLOGIES AND BIORESSOURCES INC.
Patent Owner

CASE IPR2014-00003
U.S. Patent No. 8,278,351

PATENT OWNER PRELIMINARY RESPONSE TO PETITION FOR
INTER PARTES REVIEW OF U.S. PATENT NO. 8,278,351

NEPTUNE TECHNOLOGIES AND BIORESSOURCES INC.'S
EXHIBIT LIST

Neptune Exhibit List
Patent No. 8,278,351

Patent Owner Preliminary Response to Petition for *Inter Partes* Review

NEPN EXHIBIT No.	BRIEF DESCRIPTION
NEPN 2001	Excerpts from the rebuttal witness statement of Dr. Jacek Jaczynski, prepared for International Trade Commission Investigation No. 337-TA-877 ("Jaczynski Rebuttal Witness Statement" or "Jaczynski Stmtnt") ¹
NEPN 2002	Enzymotec document, titled "Introduction to Multi Stage Oil Extraction Process." ("Enzymotec Extraction")
NEPN 2003	Material Safety Data Sheet (MSDS) for denature ethanol ("MSDS Ethanol")
NEPN 2004	Pages from Solomons and Fryhle, Organic Chemistry, 7th ed., J. Wiley, 2000, ("Solomons and Fryhle")
NEPN 2005	Declaration of Dr. Richard Charles Oppenheim submitted by the Petitioner during the opposition of AU Patent No. 2002322233, ("Oppenheim Declaration")
NEPN 2006	Medina et al., "C Nuclear magnetic resonance monitoring of free fatty acid release after fish thermal processing," J. Amer. Oil Chem. Soc. 71(5): 479-482 (1994) ("Medina")
NEPN 2007	Bruheim, <i>et al.</i> U.S. Patent Publication No. 2011/0104297, titled "Methods of Using Krill Oil to Treat Risk Factors for Cardiovascular, Metabolic, and Inflammatory Disorders."
NEPN 2008	Neptune GRAS notice of January 18, 2008 ("Neptune Gras Notice")
NEPN 2009	Aker GRAS notice of December 14, 2010 ("AKER Gras Notice")
NEPN 2010	Enzymotec GRAS notice of May 26, 2007 ("Enzymotec 2007 Gras Notice")
NEPN 2011	Enzymotec GRAS notice of December 14, 2009 ("Enzymotec 2009 Gras Notice")

¹ Patent Owner notes that Ex. NEPN 2001 is marked "Contains Confidential Business Information Subject To Protective Order." This marking was made by Patent Owner in the International Trade Commission involving the present patent. Nevertheless, in an abundance of caution, Patent Owner has excerpted and redacted this document to contain only information that is not confidential business information and is not subject to a protective order.

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Patent No. 8,278,351

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NEPN EXHIBIT No.	BRIEF DESCRIPTION
NEPN 2012	Yamaguchi et al., <i>Supercritical Carbon Dioxide Extraction of Oils from Antarctic Krill</i> , J. Agric. Food Chem. 1988 ("Yamaguchi")
NEPN 2013	Material Safety Data Sheet (MSDS) for methanol ("MSDS Methanol")
NEPN 2014	Material Safety Data Sheet (MSDS) for chloroform ("MSDS Chloroform")
NEPN 2015	File History of U.S. 6,800,299 (U.S.S.N. 09/830,146), Office Action Response of August 25, 2003. ("299 Patent Office Action Response")
NEPN 2016	S. Garcia and R. Grainger, "Gloom and doom? The future of marine capture fisheries", Phil. Trans. R. Soc., Vol. 360 pp. 21-46 ("Garcia")

Dated: January 2, 2014

Respectfully submitted,
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