

**Filed On Behalf Of:**

Novartis AG and LTS Lohmann Therapie-Systeme AG

**By:**

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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**NOVEN PHARMACEUTICALS INC.  
AND MYLAN PHARMACEUTICALS INC.,**  
Petitioners

v.

**NOVARTIS AG AND LTS LOHMANN THERAPIE-SYSTEME AG,**  
Patent Owners

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*Inter Partes* Review No. 2014-00549<sup>1</sup> (U.S. Patent No. 6,316,023)  
*Inter Partes* Review No. 2014-00550<sup>2</sup> (U.S. Patent No. 6,335,031)<sup>3</sup>

**SECOND UPDATE TO PATENT OWNERS' MANDATORY NOTICES  
PURSUANT TO PURSUANT TO 37 C.F.R. § 42.8(a)(3)**

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<sup>1</sup> Case IPR2015-00265 has been joined with this proceeding.

<sup>2</sup> Case IPR2015-00268 has been joined with this proceeding.

<sup>3</sup> Patent Owner attests that the word-for-word identical paper is filed in each proceeding identified in the heading.

Pursuant to 37 C.F.R. § 42.8(a)(3), Novartis AG and LTS Lohmann Therapie-Systeme AG (“Patent Owners”) submit the following update to their April 23, 2014 Mandatory Notices (Paper No. 6).

**Related Matters (37 C.F.R. § 42.8 (b)(2)):** On August 31, 2015, the United States District Court for the District of Delaware held that the ’031 Patent is not invalid as obvious or for obviousness-type double patenting in *Novartis v. Noven*, C.A. Nos. 13-527-RGA and 14-111-RGA, parallel District Court proceedings related to IPR Nos. 2014-00549 and 2014-00550. *See Novartis Pharms. Corp., et al. v. Noven Pharmaceuticals, Inc.*, Nos. 13-527 and 14-111, slip op. at 4-19 (D. Del. Aug. 31, 2015) (D.I. 176). The ’023 Patent challenged in IPR No. 2014-00549 is no longer at issue in those parallel District Court proceedings. *Id.* at 1.

Respectfully submitted,

Dated: September 1, 2015

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## CERTIFICATE OF SERVICE

I certify that a copy of the foregoing SECOND UPDATE TO PATENT OWNERS' MANDATORY NOTICE PURSUANT TO PURSUANT TO 37 C.F.R. § 42.8(a)(3) was served on September 1, 2015 by causing it to be sent by email to counsel for Petitioners at the following email addresses:

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