

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

METRICS, INC.  
Petitioner

v.

SENJU PHARMACEUTICAL CO., LTD.  
Patent Owner

---

Case IPR2014-01041  
U.S. Patent No. 8,129,431

---

**PATENT OWNER'S UPDATED MANDATORY NOTICES  
PURSUANT TO 37 C.F.R. § 42.8**

Pursuant to 37 C.F.R. § 42.8(a)(2), the Patent Owner, Senju Pharmaceutical Co., Ltd. (“Senju”), hereby submits the following mandatory notices in connection with this proceeding.

## **I. SENJU’S POWER OF ATTORNEY**

A Power of Attorney appointing lead and back-up counsel was filed on July 17, 2014 (Paper No. 3) by Patent Owner.

## **II. SENJU’S MANDATORY NOTICES**

### **(a) 37 C.F.R. § 42.8(b)(1): Real Party-in-Interest**

The real party in interest for the Patent Owner is Senju Pharmaceutical Co., Ltd. Other real parties-in-interest include Bausch & Lomb, Inc., and Bausch & Lomb Pharma Holdings Corp.

### **(b) Related Matters**

#### *1. Judicial*

*Senju Pharmaceutical Co., Ltd., Bausch & Lomb, Inc., and Bausch & Lomb Pharma Holdings Corp. v. Lupin, Ltd. and Lupin Pharmaceuticals, Inc., C.A. No. 1:14-CV-00667-JBS-KMW (D.N.J.) ; Senju Pharmaceutical Co., Ltd., Bausch & Lomb, Inc., and Bausch & Lomb Pharma Holdings Corp. v. Lupin, Ltd. and Lupin Pharmaceuticals, Inc., C.A. No. 1:14-CV-04149-JBS-KMW (D.N.J.); Senju Pharmaceutical Co., Ltd., Bausch & Lomb, Inc., and Bausch & Lomb Pharma Holdings Corp. v. Lupin, Ltd. and Lupin Pharmaceuticals, Inc., C.A. No. 1:14-CV-05144-JBS-KMW (D.N.J.); Senju Pharmaceutical Co., Ltd., Bausch & Lomb, Inc.,*

*and Bausch & Lomb Pharma Holdings Corp. v. Metrics, Inc, Mayne Pharma Group Limited, Mayne Pharma (USA), Inc., and Coastal Pharmaceuticals, Inc., C.A. No. 1:14-cv-03962-JBS-KMW (D.N.J.); Senju Pharmaceutical Co., Ltd., Bausch & Lomb, Inc., and Bausch & Lomb Pharma Holdings Corp., v. Metrics, Inc., Mayne Pharma Group Limited, Mayne Pharma (USA), Inc., and Coastal Pharmaceuticals, Inc., C.A. No. 1:14-cv-04964-JBS-KMW(D.N.J.), and Senju Pharmaceutical Co., Ltd., Bausch & Lomb, Inc., and Bausch & Lomb Pharma Holdings Corp., v. Metrics, Inc., Mayne Pharma Group Limited, Mayne Pharma (USA), Inc., and Coastal Pharmaceuticals, Inc., C.A. No. 4:14-cv-00141-BO (E.D.N.C.) which involve the '431, '290 patent, and/or '131 patents.*

## *2. Administrative*

Petitioner has filed concurrently with this Petition, a Petition for Inter Partes review of U.S. Patent No. 8,669,290 (“the '290 patent”), which issued on March 11, 2014 and claims priority to the application that issued as the '431 patent. U.S. Patent No. 8,497,304, a division of the '431 patent, issued on July 30, 2013 and claims the priority to the application that issued as the '431 patent. U.S. Patent No. 8,754,131, a division of the '290 patent, issued on June 17, 2014 and claims the priority to the application that issued as the '431 patent. U.S. Application Serial Nos. 14/261,720 and 14/269,692 are pending and claim priority to the application which issued as the '431 patent.

(c) **37 C.F.R. § 42.8(b)(3) and (4): Lead and Back-Up Counsel, and Service Information**

Senju designates the following counsel to transact all business in the United States Patent & Trademark Office associated with the above-captioned proceeding.

<b>Lead Counsel</b>	<b>Back-Up Counsel</b>
M. Andrew Holtman (Reg. No. 53,032) Andy.Holtman@finnegan.com Finnegan, Henderson, Farabow, Garrett & Dunner, LLP 901 New York Avenue, NW Washington, DC 20001-4413 Phone: (202) 408-4131 Fax: (202) 408-4400	Jonathan R. Stroud (Reg. No. 72,518) Jonathan.Stroud@finnegan.com Finnegan, Henderson, Farabow, Garrett & Dunner, LLP 901 New York Avenue, NW Washington, DC 20001-4413 Phone: (202) 408-4469 Fax: (202) 408-4400

Please address all correspondence regarding this proceeding to lead and back-up counsel. Senju also consents to electronic service by email.

Respectfully submitted,

Dated: September 10, 2014

By: /M. Andrew Holtman/  
M. Andrew Holtman (Reg. No. 53,032)  
Jonathan R. Stroud (Reg. No. 72,518)  
Finnegan, Henderson, Farabow,  
Garrett & Dunner, LLP  
901 New York Avenue, NW  
Washington, DC 20001-4413  
Phone: (202) 408-4131  
Fax: (202) 408-4400

Attorneys for Patent Owner

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.