

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AGILA SPECIALTIES INC. AND
MYLAN PHARMACEUTICALS INC.,
Petitioners,

v.

CUBIST PHARMACEUTICALS, INC.
Patent Owner

Patent No. 8,058,238

Case IPR2015-00142

**NOTICE OF DECISION IN RELATED JUDICIAL MATTER
UNDER 37 C.F.R. § 42.8(b)(2)**

Pursuant to 37 C.F.R. § 42.8(b)(2), Petitioner Agila files this notice identifying for the Board a decision dated December 8, 2014 in related judicial matter *Cubist Pharmaceuticals Inc. v. Hospira Inc.*, (D. Delaware, 12-367-GMS). Exhs. 1038 and 1039. The decision details a finding of invalidity under 35 U.S.C. §§ 102 and 103 for claims asserted by patent owner Cubist Pharmaceuticals in U.S. Patent Nos. 6,468,967 (claims 16, 17, 34 and 35); 6,852,689 (claims 51 and 52); 8,058,238 (claims 91, 98 and 187) and 8,129,342 (claims 23 and 53).

Respectfully submitted,

Dated: December 10, 2014

/Peter R. Munson/

Peter R. Munson

Lead Attorney for Petitioners, AGILA
SPECIALTIES INC. AND MYLAN
PHARMACEUTICALS INC.

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§ 42.6(e), I certify that I caused to be served a true and correct copy of **Petitioner's Notice of Decision in Related Judicial Matter Under 37 C.F.R. § 42.8(b)(2)** by electronic mail on the patent owner Cubist Pharmaceuticals, Inc. at:

William DeVaul: William.DeVaul@cubist.com

Henry Gu: Henry.Gu@cubist.com

Dated: December 10, 2014

/Lorelei P. Westin/

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