

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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

v.

CUBIST PHARMACEUTICALS, INC.,  
Patent Owner

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Patent No. 8,058,238

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Case IPR2015 UNASSIGNED

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**MOTION TO REQUEST ACCEPTANCE OF MAILED PETITION FOR  
*INTER PARTES* REVIEW OF U.S. PATENT NO. 8,058,238  
UNDER 37 C.F.R. §42.6(b)(2)(i)(A)**

CUBIST 2002  
AGILA v. CUBIST

Petitioners submit this motion under 37 C.F.R. §42.6(2)(i)(A) to file the attached Petition for *Inter Partes* Review of U.S. Patent No. 8,058,238 challenging claims 10-36, 43-47 and 176-192 under 37 C.F.R. 42.6(2)(i)(A) and request acceptance of this submission and a filing date of October 23, 2014. Petitioners attempted to file this Petition by Electronic Filing, but encountered difficulties with the Patent Review Processing System website. Petitioners accordingly have filed this Petition via Priority Express Mail Under 37 C.F.R. 1.10, and hereby certify that this Petition is being Express-Mailed on October 23, 2014.

Respectfully submitted,

Dated: October 23, 2014

/Peter R. Munson/

**Peter R. Munson**

Reg. No. 43,821

Lead Attorney for Petitioners