

**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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**MYLAN PHARMACEUTICALS INC.,**  
Petitioner

v.

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

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*Inter Partes* Review No. 2015-00265

U.S. Patent 6,316,023

WAIVER OF PATENT OWNERS' PRELIMINARY RESPONSE

Pursuant to 37 C.F.R. §42.107(b), Patent Owners Novartis AG and LTS Lohmann Therapie-Systeme AG hereby elect to waive their preliminary response in this *Inter Partes* Review No. 2015-00265. As indicated in the Trial Practice Guide, no adverse inference should be taken by this election. See Office Patent Trial Practice Guide, Fed. Reg. Vol. 77, No. 157 (2012) at Section II.C. This election shall not constitute a waiver or admission by Patent Owners with respect to any material set forth in the Petition.

Respectfully submitted,

Dated: February 18, 2015

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**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing Waiver Of Patent Owners' Preliminary Response was served on February 18, 2015 by causing it to be sent by email to counsel for Petitioner at the following email addresses:

BoxMylan@knobbe.com

Dated: February 18, 2015

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