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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PRAXAIR DISTRIBUTION, INC. and PRAXAIR, INC.
Petitioner

v.

INO THERAPEUTICS, LLC and IKARIA, INC.
Patent Owner

Case IPR2015-00529
Patent 8,846,112

PETITIONER'S UPDATED MANDATORY NOTICES
37 C.F.R. § 42.8

Pursuant to 37 C.F.R. § 42.8, Petitioner submits the following updated mandatory notices.

Related Matters

Petitioner hereby provides the following indication of judicial or administrative matters that would affect, or be affected by, a decision in this proceeding:

On February 19, 2015, Patent Owner filed a complaint averring that Petitioner's Abbreviated New Drug Application ("ANDA") infringes U.S. Patent No. 8,846,112 under 35 U.S.C. § 271(e)(2). That lawsuit is pending in the United States District Court for the District of Delaware and is captioned: *INO Therapeutics LLC et al. v. Praxair Distribution, Inc. et al.*, Civil Action No. 1:15-cv-00170 (GMS).

As noted in the Petition, Petitioner requested *inter partes* review of U.S. Patent No. 8,846,112 and four (4) other patents on the same day. The *inter partes* review proceedings for these other related patents have been given filing dates, and have been given the following proceeding numbers:

- IPR2015-00522 (U.S. Patent No. 8,282,966)
- IPR2015-00524 (U.S. Patent No. 8,293,284)
- IPR2015-00525 (U.S. Patent No. 8,431,163)
- IPR2015-00526 (U.S. Patent No. 8,795,741)

Case IPR2015-00529
Patent 8,846,112

Further, four (4) pending U.S. patent applications claim priority to the ultimate parent application of U.S. Patent No. 8,846,112:

- 13/683,444 filed on November 21, 2012
- 14/451,057 filed on August 4, 2014
- 14/454,373 filed on August 7, 2014
- 14/482,704 filed on September 10, 2014

No other information provided as part of Petitioner's Mandatory Notices in the Petition in this proceeding has changed.

Respectfully submitted by

K&L Gates LLP,

Date: February 25, 2015

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Certification of Service

A copy of this Petitioner's Updated Mandatory Notices under 37 C.F.R. §42.8 has been served on counsel for Patent Owner on February 25, 2015 at the following email addresses:

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Date: February 25, 2015

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