

Paper No. _____
Filed: March 27, 2015

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INNOPHARMA LICENSING, INC., INNOPHARMA LICENSING LLC,
INNOPHARMA INC., INNOPHARMA LLC,
MYLAN PHARMACEUTICALS INC., and MYLAN INC.
Petitioner

v.

SENJU PHARMACEUTICAL CO., LTD., BAUSCH & LOMB, INC., and
BAUSCH & LOMB PHARMA HOLDINGS CORP.
Patent Owner

Case IPR2015-00903
U.S. Patent 8,129,431

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

Pursuant to 37 C.F.R. § 42.8(a)(2), 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 is being filed concurrently with these Notices.

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

The patent challenged here, U.S. Patent 8,129,431 (“the ‘431 patent”), has been asserted in the following litigations:

Case Caption	Case No.	Court	Filed
<i>Senju Pharm. Co. Ltd., Bausch & Lomb, Inc. and Bausch & Lomb Pharma Holdings Corp. v. Lupin, Ltd. and Lupin Pharms., Inc.</i>	1:14-cv-00667	D.N.J.	Jan. 31, 2014
<i>Senju Pharm. Co., Ltd., Bausch & Lomb, Inc. and Bausch & Lomb Pharma Holdings Corp. v. Metrics, Inc., Coastal Pharms., Inc., Mayne Pharma Group Ltd., and Mayne Pharma (USA), Inc.</i>	1:14-cv-03962	D.N.J.	June 20, 2014
<i>Senju Pharm. Co., Ltd., Bausch & Lomb, Inc. and Bausch & Lomb Pharma Holdings Corp. v. Metrics, Inc., Coastal Pharms., Inc., Mayne Pharma Group Ltd., and Mayne Pharma (USA), Inc.</i>	1:14-cv-04964	D.N.J.	Aug. 7, 2014
<i>Senju Pharm. Co., Ltd., Bausch & Lomb, Inc. and Bausch & Lomb Pharma Holdings Corp. v. Metrics, Inc., Coastal Pharm., Inc., Mayne Pharma Group Ltd., and Mayne Pharma (USA), Inc.</i>	4:14-cv-00141	E.D.N.C.	Aug. 8, 2014
<i>Senju Pharm. Co., Ltd., Bausch & Lomb, Inc. and Bausch & Lomb Pharma Holdings Corp. v. Innopharma Licensing, Inc., Innopharma Licensing, LLC, Innopharma, Inc., and Innopharma LLC</i>	1:14-cv-06893	D.N.J.	Nov. 3, 2014
<i>Senju Pharm. Co. Ltd., Bausch & Lomb, Inc. and Bausch & Lomb Pharma Holdings Corp. v. Apotex Inc. and Apotex Corp.</i>	1:15-cv-00336	D.N.J.	Jan. 16, 2015
<i>Senju Pharm. Co., Ltd., Bausch & Lomb Inc. and Bausch & Lomb Pharma Holdings Corp. v. Paddock Labs., LLC, L. Perrigo Co., and Perrigo Co.</i>	1:15-cv-00337	D.N.J.	Jan. 16, 2015
<i>Senju Pharm. Co., Ltd., Bausch & Lomb Inc. and Bausch & Lomb Pharma Holdings Corp. v. Paddock Labs., LLC, L. Perrigo Co., and Perrigo Co.</i>	1:15-cv-00087	D.Del.	Jan. 26, 2015

There are four other patents currently involved in parallel district court proceedings, U.S. Patents Nos. 8,669,290 (“the ‘290 patent”), 8,754,131 (“the ‘131 patent”), 8,871,813 (“the ‘813 patent”) and 8,927,606 (“the ‘606 patent”). As the Patent Owner reads 37 C.F.R. § 42.8, Patent Owner is not required to individually identify these proceedings, but if the Board prefers them identified, Patent Owner will do so.

2. *Administrative*

Petitioner filed concurrently with this petition another petition for *inter partes* review, IPR2015-00902, of the ‘290 patent, which issued on March 11, 2014 and claims benefit to the application that issued as the ‘431 patent. Patent Owner additionally notes the existence of pending U.S. Applications Serial Nos. 14/261,720 and 14/269,692, which ultimately claim benefit to the application that issued as the ‘431 patent. Patent Owner also identifies two additional administrative matters related to this patent family that have been filed and instituted:

Case Caption	IPR No.	Patent	Filed
<i>Metrics, Inc. v. Mayne Pharma, and Johnson Matthey, Inc. v. Senju Pharm. Co., Ltd, Bausch & Lomb, Inc., and Bausch & Lomb Pharma Holdings Corp.</i>	IPR2014-01043	8,129,431	June 26, 2014
<i>Metrics, Inc. v. Mayne Pharma, and Johnson Matthey, Inc. v. Senju Pharm. Co., Ltd, Bausch & Lomb, Inc., and Bausch & Lomb Pharma Holdings Corp.</i>	IPR2014-01041	8,669,290	June 26, 2014

**(b) 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.

Lead Counsel	Back-Up Counsel
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