

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COALITION FOR AFFORDABLE DRUGS II LLC,
Petitioner,

v.

NPS PHARMACEUTICALS, INC.,
Patent Owner.

Case No. IPR2015-01093
Patent No.: 7,056,886

**PETITIONER'S UPDATED MANDATORY NOTICE
PURSUANT TO 37 C.F.R. § 42.8**

Coalition for Affordable Drugs II LLC, the Petitioner, respectfully submits this Updated Mandatory Notice pursuant to 37 C.F.R. §§ 42.8(a)(3) and (b)(1) to update the identification of each real party-in-interest. Coalition for Affordable Drugs II LLC was a wholly owned subsidiary of Hayman Credes Master Fund, L.P. at the time this Petition was filed. Coalition for Affordable Drugs II LLC is currently a wholly owned subsidiary of Hayman Credes Master Fund, L.P., Hayman Orange Fund SPC – Portfolio A, and Hayman Capital Master Fund, L.P. All other aspects of the real party-in-interest statement in the Petition remain unchanged.

In accordance with 37 C.F.R. § 42.8(a)(3), this Updated Mandatory Notice is timely filed within 21 days of the change to the real party-in-interest.

A. Real Party-In-Interest Under 37 C.F.R. § 42.8(b)(1)

The entirety of Petitioner’s updated real party-in-interest statement under 37 C.F.R. § 42.8(b)(1) is as follows:

Petitioner certifies that CFAD, Hayman Credes Master Fund, L.P. (“Credes”), Hayman Orange Fund SPC – Portfolio A (“HOF”), Hayman Capital Master Fund, L.P. (“HCMF”), Hayman Capital Management, L.P. (“HCM”), Hayman Offshore Management, Inc. (“HOM”), Hayman Investments, L.L.C. (“HI”), nXn Partners, LLC (“nXnP”), IP Navigation Group, LLC (“IPNav”), J.

Kyle Bass, and Erich Spangenberg are the real parties-in-interest (collectively, “RPI”). The RPI certifies the following information:

CFAD is a wholly owned subsidiary of Credes, HOF and HCMF. Credes is a limited partnership. HOF is a segregated portfolio company. HCMF is a limited partnership. HCM is the general partner and investment manager of Credes and HCMF. HCM is the investment manager of HOF. HOM is the administrative general partner of Credes and HCMF. HI is the general partner of HCM. J. Kyle Bass is the sole member of HI and sole shareholder of HOM. CFAD, Credes, HOF, and HCMF act, directly or indirectly, through HCM as the general partner and/or investment manager of Credes, HOF and HCMF. nXnP is a paid consultant to HCM. Erich Spangenberg is the Manager and majority member of nXnP. IPNav is a paid consultant to nXnP. Erich Spangenberg is the Manager and majority member of IPNav.

Other than HCM and J. Kyle Bass in his capacity as the Chief Investment Officer of HCM and nXnP, and Erich Spangenberg in his capacity as the Manager/CEO of nXnP, no other person (including any investor, limited partner, or member or any other person in any of CFAD, Credes, HOF, HCMF, HCM, HOM, HI, nXnP, or IPNav) has authority to direct or control (i) the timing of, filing of, content of, or any decisions or other activities relating to this Petition or (ii) any timing, future filings, content of, or any decisions or other activities

Case IPR2015-01093
Patent 7,056,886

relating to the future proceedings related to this Petition. All of the costs associated with this Petition will be borne by HCM, CFAD, Credes, HOF and/or HCMF.

Respectfully submitted,

Date: January 21, 2016

By: /s/ Jeffrey D. Blake
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Counsel for Petitioner

CERTIFICATE OF SERVICE ON PATENT OWNER

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on January 21, 2016, a complete and entire copy of PETITIONER'S UPDATED MANDATORY NOTICE PURSUANT TO 37 C.F.R. § 42.8 was served by filing this document through the Patent Review Processing System, as well as email copies to:

Joseph R. Robinson, Esq. (joseph.robinson@troutmansanders.com)

Dustin B. Weeks, Esq. (dustin.weeks@troutmansanders.com)

Respectfully submitted,

MERCHANT & GOULD P.C.

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