

Paper No. _____
Filed: May 13, 2015

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LUPIN LTD. and LUPIN PHARMACEUTICALS INC.
Petitioners

v.

SENJU PHARMACEUTICAL CO., LTD.
Patent Owner

Case IPR2015-01105
U.S. Patent 8,871,813

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 8,871,813 (“the ‘813 patent”), has been asserted in the following litigations:

Case Caption	Case Number	Court	Filing Date
<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. Lupin, Ltd. and Lupin Pharms., Inc.</i>	1:15-cv-00335	D.N.J.	Jan. 16, 2015
<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
<i>Senju Pharm. Co. Ltd., Bausch & Lomb Inc. and Bausch & Lomb Pharma Holdings Corp. v. InnoPharma Licensing, Inc., Innopharma Licensing, LLC, Innopharma, Inc., Innopharma, LLC, Mylan Pharms., Inc., and Mylan Inc.</i>	1:15-cv-03240	D.N.J.	May 8, 2015

There are four other related patents currently involved in parallel district court proceedings, U.S. Patents Nos. 8,129,431 (“the ‘431 patent”), 8,669,290 (“the ‘290 patent”), 8,754,131 (“the ‘131 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 three other petitions for *inter partes* review: (1) IPR2015-01099 of the '290 patent, (2) IPR2015-01097 of the '131 patent, and (3) IPR2015-01100 of the '606 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 additional administrative matters related to this patent family:

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>	IPR2014-01041	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>	IPR2014-01043	8,669,290	June 26, 2014
<i>Innopharma Licensing, Inc., Innopharma Licensing, LLC, Innopharma, Inc., Innopharma LLC, Mylan Pharms. Inc., and Mylan Inc. v. Senju Pharm. Co., Ltd, Bausch & Lomb, Inc., and Bausch & Lomb Pharma Holdings Corp.</i>	IPR2015-00903	8,129,431	Mar. 19, 2015
<i>Innopharma Licensing, Inc., Innopharma Licensing, LLC, Innopharma, Inc., Innopharma LLC, Mylan Pharms. Inc., and Mylan Inc. v. Senju Pharm. Co., Ltd, Bausch & Lomb, Inc., and Bausch & Lomb Pharma Holdings Corp.</i>	IPR2015-00902	8,669,290	Mar. 19, 2015

(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.

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