

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE PATENT TRIAL AND APPEAL BOARD**

FRESENIUS KABI USA LLC

Petitioner,

v.

CUBIST PHARMACEUTICALS, INC.

Patent Owner.

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Case: IPR2015-01570

Patent No. 8,058,238

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**FRESENIUS KABI USA LLC'S UPDATED EXHIBIT LIST**

Exhibit No.	Reference
1001	High Purity Lipopeptides, U.S. Patent No. 8,058,238 (filed Apr. 24, 2007) (issued Nov. 15, 2011).
1002	High Purity Lipopeptides, U.S. Patent No. 8,129,342 (filed Sept. 22, 2010) (issued Mar. 6, 2012).
1003	File History U.S. Patent No. 8,058,238
1004	File History U.S. Patent No. 8,129,342
1005	Expert Declaration of Ralph Tarantino, Ph.D. Relating to U.S. Patent No. 8,052,238
1006	Expert Declaration of Ralph Tarantino, Ph.D. Relating to U.S. Patent No. 8,129,342
1007	Chromatographic Purification Process, U.S. Patent No. 4,874,843 (filed Dec. 3, 1987) (issued Oct. 17, 1989).
1008	Richard H. Baltz, <i>Lipopeptide Antibiotics Produced by Streptomyces roseosporus and Streptomyces fradiae</i> , in BIOTECHNOLOGY OF ANTIBIOTICS (W.R. Strohl ed., 1997). (“Baltz”)
1009	Peptide Antibiotics, U.S. Patent No. 4,331,594 (filed Nov. 14, 1980) (issued May 25, 1982).
1010	Anhydro- and Isomer-A-21978C Cyclic Peptides, U.S. Patent No. 5,912,226 (filed Dec. 16, 1991) (issued Jun. 15, 1999).
1011	F.M. Huber et al., <i>The formation of daptomycin by supplying decanoic acid to Streptomyces roseosporus cultures producing the antibiotic complex A21978C</i> , J. BIOTECHNOL. 7:283-92 (1988).
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1013	Catherine N. Mulligan & Bernard F. Gibbs, <i>Recovery of Biosurfactants by Ultrafiltration</i> , J. CHEM. TECHNOL. BIOTECHNOL. 47:23-9 (1990). (“Mulligan”)
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1016	Method of Producing Surfactin with the Use of Mutant of <i>Bacillus Subtilis</i> , U.S. Patent No. 5,227,294 (filed June 20, 1991) (issued Jul. 13, 1993).
1017	Mohamad Osman et al., <i>Tuning micelles of a bioactive heptapeptide biosurfactant via extrinsically induced conformational transition of surfactin assembly</i> , J. PEPTIDE SCI., 4:449-58 (1998). (“Osman”)
1018	F.P. Tally et al., <i>Daptomycin: A Novel Agent for Gram-positive Infections</i> , EXPERT OPIN. INVEST. DRUGS 8:1223-38 (1999). (“Tally”)
1019	BIOSURFACTANTS: RESEARCH TRENDS & APPLICATIONS (Catherine N. Mulligan ed., 2014).
1020	Sung-Chyr Lin, <i>Biosurfactant: Recent Advances</i> , J. CHEM. TECH. BIOTECHNOL. 66:109-20 (1996).
1021	Kei Arima et al., <i>Surfactin, a crystalline peptide lipid surfactant produced by Bacillus subtilis: Isolation, characterization and its inhibition of fibrin clot formation</i> , BIOCHEM. BIOPHYS. RES. COMM. 31:488-94 (1968).
1022	Atsushi Kakinuma et al., <i>Confirmation of the structure of surfactin by mass spectrometry</i> , AG. BIOL. CHEM. 33:1669-72 (1969).

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1023	A.W. Bernheimer et al., <i>Nature and properties of a cytolytic agent produced by Bacillus subtilis</i> , J. GEN. MICROBIOL. 61:361-69 (1970).
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1029	Enhanced Production of Biosurfactant Through the Use of a Mutated B Subtilis Strain, U.S. Patent No. 5,037,758 (filed Jan. 1989) (issued Aug. 6, 1991).
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1035	21 C.F.R. §600(3)(r) (1998)
1036	21 C.F.R. § 610.13 (1998).
1037	Sweadner, K. et al., <i>Filtration Removal of Endotoxin (Pyrogens) in Solution in Different States of Aggregation</i> , <i>APPLIED AND ENVIRONMENTAL MICROBIOLOGY</i> , 34:382-385 (1997) (“Sweadner”)
1038	Kunz, C. et al., <i>Human-milk proteins: analysis of casein and casein subunits by anon-exchange chromatography, gel electrophoresis, and specific staining methods</i> , <i>Am. J. Clin. Nutr.</i> 1990; 51:37-46 (1990).
1039	Declaration of Daniel P. Margolis in Support of Motion for Pro Hac Vice Admission Under 37 C.F.R. § 42.10(c)
1040	Declaration of Robert V. Cerwinski in Support of Motion for <i>Pro Hac Vice</i> Admission Under 37 C.F.R. § 42.10(c)
1041	Stipulation and Agreement to Narrow Issues in the Litigation and IPR Proceedings and Covenant Not to Sue, C.A. No. 14-914 (D. Del. Aug. 10, 2015) (Confidential Version)
1042	Stipulation and Agreement to Narrow Issues in the Litigation and IPR Proceedings and Covenant Not to Sue, C.A. No. 14-914 (D. Del. Aug. 17, 2015) (Redacted - Public Version)
1043	Consent Judgment, <i>Cubist Pharms., Inc. v. Fresenius Kabi USA, LLC</i> , C.A. No. 14-914-GMS
1044	Supreme Court List, Certiorari – Summary Disposition

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