

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMNEAL PHARMACEUTICALS LLC and PAR PHARMACEUTICAL INC.
Petitioners,

v.

JAZZ PHARMACEUTICALS, INC.
Patent Owner

Case IPR2015-01903
Patent 8,731,963

**MANDATORY NOTICES BY JAZZ PHARMACEUTICALS, INC.
UNDER 35 U.S.C. §§ 311-319 AND 37 C.F.R. §§ 42.8, 42.100 ET. SEQ.**

REAL PARTY-IN-INTEREST

Pursuant to the requirements of 37 C.F.R. § 42.8(b)(1), the undersigned state that Jazz Pharmaceuticals, Inc. (“Jazz Pharmaceuticals”) is the real party-in-interest. Jazz Pharmaceuticals is a corporation organized and existing under the laws of the State of Delaware, having a principal place of business at 3180 Porter Drive, Palo Alto, California 94304. Jazz Pharmaceuticals owns by assignment the entire right, title, and interest in U.S. Patent No. 8,731,963 (the “’963 patent”) by virtue of an Assignment of rights from the inventors, Dayton Reardon, Patti Engle and Bob Gagne. The Assignment was recorded with the United States Patent and Trademark Office on December 22, 2010, at Reel 025604, Frame 0903, in connection with the application that issued as U.S. Patent No. 7,668,730, of which the application that led to the ’963 patent was a continuation.

RELATED MATTERS

Pursuant to 37 C.F.R. § 42.8(b)(2), the undersigned state that the ’963 patent is the subject of three, currently-pending litigations: *Jazz Pharmaceuticals, Inc. v. Amneal Pharmaceuticals LLC et al.*, 2:13-cv-391 (consolidated) (D.N.J.); *Jazz Pharmaceuticals, Inc. v. Wockhardt Bio AG et al.*, 2:15-cv-5619 (D.N.J.); and *Jazz Pharmaceuticals, Inc. v. Lupin Ltd. et al.*, 2:15-cv-6548 (D.N.J.). One other

litigation, *Jazz Pharmaceuticals, Inc. v. Roxane Laboratories, Inc.*, 2:10-cv-6108 (D.N.J.), concerns patents related to the '963 patent.

Additionally, Petitioners have together (and in certain instances, separately) filed for *inter partes* review of six related patents: U.S. Patent No. 8,457,988 (IPR2015-00551; IPR2015-01817); U.S. Patent No. 7,895,059 (IPR2015-00548; IPR2015-01810); U.S. Patent No. 8,589,182 (IPR2015-00545); U.S. Patent No. 7,668,730 (IPR2015-00554); U.S. Patent No. 7,765,106 (IPR2015-00546); and U.S. Patent No. 7,765,107 (IPR2015-00547).

Further, Petitioners have also previously filed for covered business method review of the above-identified related patents: U.S. Patent No. 8,589,182 (CBM2014-00153); U.S. Patent No. 8,457,988 (CBM2014-00150); U.S. Patent No. 7,668,730 (CBM2014-00151); U.S. Patent No. 7,765,106 (CBM2014-00161); U.S. Patent No. 7,765,107 (CBM2014-00175); and U.S. Patent No. 7,895,059 (CBM2014-00149). The Patent Trial and Appeal Board denied institution of covered business method review of these petitions. *See* CBM2014-00149 at Paper 12; CBM2014-00175 at Paper 14.

Wockhardt Bio AG has also filed for *inter partes* review of the above-identified related patents: U.S. Patent No. 8,457,988 (IPR2015-01814); U.S. Patent No. 7,895,059 (IPR2015-01816); U.S. Patent No. 8,589,182 (IPR2015-

01813); U.S. Patent No. 7,668,730 (IPR2015-01818); U.S. Patent No. 7,765,106 (IPR2015-01815); and U.S. Patent No. 7,765,107 (IPR2015-01820). The Coalition for Affordable Drugs III LLC also has filed a petition for *inter partes* review of related U.S. Patent No. 7,895,059 (IPR2015-01018).

Further, the following pending U.S. Patent applications claim the benefit of U.S. Patent Application No. 10/322,348, which the '963 patent also claims the benefit of: U.S. Patent Application No. 14/196,603, filed on March 4, 2014, U.S. Patent Application No. 14/219,904, filed on March 19, 2014, and U.S. Patent Application No. 14/219,941 filed on March 19, 2014.

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