

*Petition for Inter Partes Review
of U.S. Patent No. 8,772,306*

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PAR PHARMACEUTICAL, INC.
Petitioner

v.

JAZZ PHARMACEUTICALS, INC.
Patent Owner

Case IPR: Unassigned
Patent 8,772,306

**PETITION FOR INTER PARTES REVIEW OF U.S. PATENT NO. 8,772,306
UNDER 35 U.S.C. § 311–319 AND 37 C.F.R. § 42.1–.80, 42.100–.123**

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I. INTRODUCTION AND STATEMENT OF RELIEF REQUESTED (37 C.F.R. § 42.22(A))

Par Pharmaceutical, Inc. (“Par” or “Petitioner”) submits this Petition for *Inter Partes* review (“IPR”) seeking cancellation of claims 1-34 of U.S. Patent No. 8,772,306 (“the ’306 patent”) (PAR1001) as unpatentable under 35 U.S.C. §103(a) in view of the prior art. According to Office records, the ’306 patent is assigned to Jazz Pharmaceuticals Ireland Limited, though Jazz Pharmaceuticals, Inc. and Jazz Pharmaceuticals Ireland Limited (collectively, “Jazz”) have represented they together own the patent.¹ Every limitation of the claims of the ’306 patent would have been obvious to a person of skill in the art (“POSA”) based on prior art printed publications, as set forth below in Grounds 1 and 2.

For the reasons explained below, Petitioner is at least reasonably likely to prevail on the asserted Ground with respect to the challenged claims. Therefore, Petitioners respectfully request that this Board institute IPR and cancel each of challenged claims 1–34 of the ’306 patent.

II. GROUNDS FOR STANDING (37 C.F.R. § 42.104(A))

Petitioners certify that the ’306 patent is available for IPR and Petitioner is not barred or estopped from requesting IPR of any of the challenged claims.

¹ See D.I. 1, ¶ 10 in *Jazz Pharmaceuticals, Inc. v. Par Pharmaceutical, Inc.*, C.A.

No. 14-6150 (D.N.J.)

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