

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FRESENIUS KABI USA, LLC
Petitioner

v.

CEPHALON, INC.
Patent Owner

Case IPR2016-00111
Patent No. 8,895,756

**PATENT OWNER'S MANDATORY NOTICES
PURSUANT TO 37 C.F.R. § 42.8**

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Patent Trial and Appeal Board
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to 37 C.F.R. § 42.8, Patent Owner, Cephalon, Inc. ("Cephalon"), hereby submits the following mandatory notices.

I. REAL PARTY IN INTEREST (37 C.F.R. § 42.8(b)(1))

Cephalon is the patent owner and real party-in-interest. Cephalon is an indirect wholly owned subsidiary of Teva Pharmaceuticals Industries Ltd.

II. RELATED MATTERS (37 C.F.R. § 42.8(b)(2))

A. Judicial Matters

U.S. Patent No. 8,895,756 ("756 Patent") has been or is currently at issue in the following district court litigation:

- *Cephalon, Inc. v. Hetero Labs Ltd.*, No. 1:13-cv-02046-GMS (D. Del.), consolidated into *In re Bendamustine Consol. Cases*, No. 1:13-cv-02046-GMS (D. Del.);
- *Cephalon, Inc. v. Pharmasci, Inc.*, 1-14-cv-00568-GMS (D. Del.), consolidated into *In re Bendamustine Consol. Cases*, No. 1:13-cv-02046-GMS (D. Del.)
- *Cephalon, Inc. v. Nang Kuang Pharm. Co., Ltd.*, No. 1:14-cv-05180-KAM-RER (E.D.N.Y.);

- *Cephalon Inc. v. Sandoz Inc.*, No. 1:15-cv-00178-GMS (D. Del.), consolidated into *In re Bendamustine Consol. Cases*, No. 1:13-cv-02046-GMS (D. Del.);
- *Cephalon, Inc. v. Dr. Reddy's Labs., Ltd.*, No. 1:15-cv-00179-GMS (D. Del.), consolidated into *In re Bendamustine Consol. Cases*, No. 1:13-cv-02046-GMS (D. Del.);
- *Cephalon, Inc. v. Apotex, Inc.*, No. 1:15-cv-00404-GMS (D. Del.); and
- *Cephalon, Inc. v. Panacea Biotec, Ltd.*, No. 1:15-cv-00735-GMS (D. Del.).

B. Administrative

The '756 Patent claims priority to U.S. Patent No. 8,436,190, which is currently under review in IPR2015-00503.

The '756 Patent and U.S. Patent No. 8,791,270 ("270 Patent") both claim priority to U.S. Provisional Patent Application No. 60/644,354. The '270 Patent is the subject of petitions for *Inter Partes* Review in IPR2016-00026 and IPR2016-00098. The Board has not yet decided whether to institute review on these petitions.

Pending U.S. Patent Application No 14/845,564 claims the benefit of the '756 Patent.

III. LEAD AND BACKUP COUNSEL (37 C.F.R. § 42.8(b)(3))

LEAD COUNSEL	BACK-UP COUNSEL
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IV. SERVICE INFORMATION (37 C.F.R. § 42.8(b)(4))

Please direct all correspondence to counsel at the contact information above.

Petitioner consents to service by electronic mail at

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Dated: November 23, 2015

Respectfully Submitted,
KAYE SCHOLER LLP

/s/ Soumitra Deka

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