

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Mr. J. Kyle Bass and Mr. Erich Spangenberg,
Petitioners

v.

ALPEX PHARMA
Patent Owner

Patent No. 8,440,170
Issued: May 14, 2013
Filed: PCT January 30, 2009
Inventors: F. Stroppolo and S. Ardalan
Title: "Orally Disintegrating Tablets with Speckled Appearance"

Inter Partes Review No.—IPR2016-00245

**TRANSMITTAL LETTER AND ANNEXED EXHIBIT 2001
(INCLUDING TABLE OF EXHIBITS)**

TRANSMITTAL LETTER AND ANNEXED EXHIBIT 2001
(INCLUDING TABLE OF EXHIBITS)

Pursuant to the email directive dated March 1, 2016 from Eric Hawthorne, Supervisory Paralegal Specialist, Patent Trial and Appeal Board, Patent Owner now submits as separate Exhibit 2001 the four-page document attached at the end of the Preliminary Response by Patent Owner under 37 C.F.R. §42.107, filed February 24, 2016.

The four-page document now constituting Exhibit 2001 is cited in the Corrected Preliminary Response by Patent Owner under 37 C.F.R. §42.107 in Section II(B)(2). The designation “Exhibit 2001” along with the name (description) of the document comprising same are set forth below and in the annexed Table of Exhibits:

Exhibit 2001 – Four-page entry from Wikipedia re “Granular material.”

Entry of Exhibit 2001 in support of the Corrected Preliminary Response by Patent Owner under 37 C.F.R. §42.107 is solicited.

Date: March 8, 2016

Respectfully Submitted,

By: /Silvia Salvadori/
Silvia Salvadori,
Lead Counsel for Patent Owner
Registration No. 48,265

/George B. Snyder/
George B. Snyder
Back-up Counsel for Patent Owner

U.S. Patent No. 8,440,170
IPR2016-00245

Registration No. 27,675

TABLE OF EXHIBITS

For Preliminary Response by Patent Owner

Exhibit	Description
2001	Four-page entry from Wikipedia re “Granular material”

For Petition for Inter Partes Review of U.S. Patent No. 8,440,170

Exhibit	Description
1001	U.S. Patent No. 8,440,170
1002	Declaration of Dr. Park
1003	US FDA Orange Book listing of Suprenza, http://www.accessdata.fda.gov/scripts/cder/ob/docs/patexclnew.cfm?App1_No=202088&Product_No=001&table1=OB_Rx
1004	The <i>Prevacid Label</i> 2007
1005	U.S. 1006/0193909 to Stawski <i>et al.</i>
1006	U.S. 4,744,991 to Serpelloni
1007	Reply to Restriction November 10, 2011
1008	Non-final Office Action February 14, 2012
1009	Reply to Non-final Office Action May 14, 2012
1010	Final Office Action September 12, 2012
1011	Applicant Arguments/Amendments December 12, 2012
1012	Notice of Allowance March 20, 2013
1013	Prevacid SoluTab orally disintegrating tablets. Website at http://www.drugs.com/cdi/prevacid-solutab-orally-disintegrating-tablets.html
1014	Image of orally disintegrating, speckled Suprenza tablet. http://images.medscape.com/pi/features/drugdirectory/octupdate/AKR07220.jpg
1015	The American Heritage College Dictionary, Houghton Mifflin Company, 1993, pp. 276, 593, and 1307.
1016	The front page of the Suprenza website

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March , 2016 a copy of each of the foregoing document(s), as identified below,

- Transmittal Letter and Annexed Exhibit 2001 (Including Table of Exhibits),

is being served on Petitioners' counsel by Express Mail to Petitioners' counsel of record at:

Dr. Gregory J. Gonsalves
Email gonsalves@gonsalveslawfim.com
2216 Beacon Lane
Falls Church, Virginia 22043
(571) 419-7252

- and -

Christopher Casieri
Email:chris@miplaw.com
McNeely, Hare & War LLP
12 Roszel Road, Suite C104
Princeton, NJ 08540
(609) 731-3668

Dated: March 8, 2016

/Silvia Salvadori/
Silvia Salvadori, Esq.
Attorney for Patent Owner
Registration No. 48,265