

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC. and MYLAN LABORATORIES
LIMITED,
Petitioner,

v.

UCB PHARMA GMBH,
Patent Owner.

Case IPR2016-00510
Patent 6,858,650 B1

**PATENT OWNER MANDATORY NOTICE
INFORMATION
UNDER 37 C.F.R. § 42.8**

IPR2016-00510

Patent 6,858,650 B1

A. Real Party in Interest

UCB Pharma GmbH (“UCB”), formerly known as Schwarz Pharma AG and organized and existing under the laws of Germany, holds title to U.S. Patent No. 6,858,650 (the “‘650 patent”) and is the real party-in-interest.

B. Related Matters

UCB and Pfizer Inc. (“Pfizer”), the exclusive licensee of the ‘650 patent, have sued Mylan Pharmaceuticals Inc. for infringement of the ‘650 patent in the following actions: *Pfizer, Inc. and UCB Pharma GMBH v. Mylan Pharmaceuticals, Inc.*, No. 1:15-cv-00079-GMS (D. Del.) and *Pfizer Inc. and UCB Pharma GMBH v. Mylan Pharmaceuticals Inc.*, Case No. 1:15-cv-00013-IMK (N.D.W.Va.).

The following pending action also involves the ‘650 patent: *Pfizer, Inc. and UCB Pharma GMBH v. Sandoz, Inc.*, et al., No. 1:13-cv-01110- GMS (D. Del.). UCB and Pfizer tried the case before Judge Gregory Sleet in the District Court of Delaware in July of 2015. Judgment has been entered that, *inter alia*, (1) the claims are not anticipated, and (2) the claims are not indefinite under 35 U.S.C. §112. Judgment regarding Defendants’ argument that the asserted claims are obvious under 35 U.S.C. §103 is pending. Defendants’ arguments at trial regarding obviousness included the assertion of, *inter alia*, Brynne [Petitioner’s Ex. 1007], Bundgaard [Petitioner’s Ex. 1012], Johansson [Petitioner’s Ex. 1005], and the Detrol Label [Petitioner’s Ex. 1009]. Defendants identified Postlind [Petitioner’s Ex. 1010] in the Pretrial Order as a prior art reference potentially relevant for obviousness.

The following action involving the ‘650 patent was recently dismissed by Judge Sleet: *Pfizer, Inc. and UCB Pharma GMBH v. Dr. Reddy’s Laboratories, Ltd. and Dr. Reddy’s Laboratories, Inc.*, No. 1:15-cv-01067 (GMS) (D. Del.).

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In addition, UCB understands that the Petitioners have filed the Inter Partes Review Petitions listed in the table below relating to either the '650 patent or four other patents related to the '650 patent (U.S. Patent Nos. 7,384,980; 7,855,230; 7,985,772; and 8,338,478):

<u>Patent No.</u>	<u>Case Number</u>	<u>IPR Filing Date</u>	<u>Claims</u>
6,858,650	IPR2016-00510	January 28, 2016	1-5, 21-24
7,384,980	IPR2016-00512	January 28, 2016	1-16
7,855,230	IPR2016-00514	January 28, 2016	1-5
7,985,772	IPR2016-00517	January 28, 2016	1, 3, 4, 6-8
8,338,478	IPR2016-00516	January 28, 2016	1-3, 5-8, 10-12

C. Lead and Back-up Counsel

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D. Service Information

UCB may be served at its counsel, White & Case, LLP, at the above-indicated email addresses.

E. Patent Owner Preliminary Response

Patent Owner reserves the right to file a preliminary response at a later date.

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/Jeffrey J. Oelke/ (Electronically signed)

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Date: February 18, 2016

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