

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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PATENT TRIAL AND APPEAL BOARD

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PRAXAIR DISTRIBUTION, INC. AND NO<sub>x</sub>BOX LIMITED  
Petitioner

v.

MALLINCKRODT HOSPITAL PRODUCTS IP LTD., AND INO  
THERAPEUTICS, INC. d/b/a IKARIA, INC.  
Patent Owner

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**PETITION FOR *INTER PARTES* REVIEW OF  
U.S. PATENT NO. 8,846,112**

**Mail Stop PATENT BOARD**  
Patent Trial and Appeal Board  
United States Patent and Trademark Office  
Patent Owner Box 1450  
Alexandria, Virginia 22313-1450

## Table of Contents

|       |   |    |
|-------|---|----|
| I.    | INTRODUCTION .....  | 1  |
| II.   | OVERVIEW OF THE ‘112 Patent.....  | 1  |
| A.    | Summary of the ‘112 Patent.....   | 1  |
| B.    | Summary of the Prosecution History of the ‘112 Patent .....   | 5  |
| III.  | GROUND FOR STANDING (37 C.F.R. § 42.104(a)).....  | 7  |
| IV.   | PAYMENT OF FEES (37 C.F.R. § 42.103) .....  | 8  |
| V.    | MANDATORY NOTICES (37 C.F.R. § 42.8).....   | 8  |
| A.    | Real Parties-In-Interest.....   | 8  |
| B.    | Related Matters.....  | 8  |
| C.    | Lead and Backup Counsel (37 C.F.R. § 42.8(b)(3)) and Service<br>Information (37 C.F.R. § 42.8(b)(4)) .....  | 10 |
| VI.   | THE BOARD SHOULD INSTITUTE IPR UNDER 35 U.S.C. § 325(d) ....  | 11 |
| VII.  | PERSON OF SKILL IN THE ART AND STATE OF THE ART .....   | 18 |
| VIII. | CLAIM CONSTRUCTION .....  | 18 |
| IX.   | STATEMENTS OF THE PRECISE RELIEF REQUESTED AND THE<br>REASONS THEREFORE (37 C.F.R. § 42.22(a) and 42.104(b)) .....                                      | 19 |
| A.    | Ground 1: Claims 1-19 Are Unpatentable Under 35 U.S.C. §<br>103(a) As Obvious Over <i>Greenough</i> in View of INOmax Label,<br>and <i>Jaypee</i> ..... | 22 |
| 1.    | Overview of the Prior Art .....   | 22 |
| 2.    | Motivation to Combine .....   | 25 |
| 3.    | Independent Claims 1, 7, 12 and 14.....   | 30 |
| 4.    | Dependent Claims 2-6, 8-11, 13, 15-19.....  | 37 |

### **List of Exhibits**

- Ex. 1001: U.S. Patent No. 8,846,112 to Baldassarre *et al.* (“‘112 Patent), filed November 21, 2012, issued September 30, 2014.
- Ex. 1002: Declaration of Dr. Edward Lawson.
- Ex. 1003: *Curriculum vitae* of Dr. Edward Lawson.
- Ex. 1004: Waivers of Service of Summons in Case No. 2015-cv-00170.
- Ex. 1005: Prosecution History for U.S. Patent No. 8,846,112.
- Ex. 1006: A. Greenough & A. D. Miller, *Neonatal Respiratory Disorders* 149, 183–87, 392 (2nd ed. 2003) (“*Greenough*”).
- Ex. 1007: Jaypee, *Pediatric & Neonatal Mechanical Ventilation* 148–58 (Praveen Khilnani ed., 1st ed. 2006) (“*Jaypee*”).
- Ex. 1008: Reserved.
- Ex. 1009: Prior Art Search Results from Cardinal Intellectual Property, Inc.
- Ex. 1010: Center for Drug Evaluation and Research, Application Number: NDA20845, INOMAX, Final Printed Labeling, available at [http://www.accessdata.fda.gov/drugsatfda\\_docs/nda/99/20845\\_inomax\\_prntlbl.pdf](http://www.accessdata.fda.gov/drugsatfda_docs/nda/99/20845_inomax_prntlbl.pdf) (August 9, 2000). (“INOmax Label”).
- Ex. 1011: Pilbeam, *Mechanical Ventilation, Special Techniques in Mechanical Ventilation*, § 4: Nitric Oxide, (4th ed. 2006) (“*Pilbeam*”).

- Ex. 1012: M. Hoeper, *et al.*, *Definitions and Diagnosis of Pulmonary Hypertension* 62:25 J. of the American College of Cardiology D44 (2013) (“Hoeper”).
- Ex. 1013: Royster, *et al.*, *Differences in Pulmonary Artery Wedge Pressures Obtained by Balloon Inflation Versus Impaction Techniques*, 61 *Anesthesiology*, 339 – 341 (1984) (“Royster”).
- Ex. 1014: Goyal *et al.*, *Efficacy of nitroglycerin inhalation in reducing pulmonary arterial hypertension in children with congenital heart disease*, *British Journal of Anaesthesia*, 97(2): 208-14 (2006). (“Goyal”).
- Ex. 1015: Pozzoli, *et al.*, *Non-Invasive Estimation of Left Ventricular Filling Pressures by Doppler Echocardiography*, 3 *Eur J Echocardiogr.*, 3:75-79 (2002) (“Pozzoli”).
- Ex. 1016: Plaintiff’s Opposition to Defendants’ Motion for Judgment on the Pleadings for Counts I-V of Plaintiffs’ Complaint, Docket No. 54.
- Ex. 1017: December 4, 2013 Declaration of Dr. James S. Baldassarre Under 37 C.F.R. § 1.132 Submitted during prosecution of U.S. Patent No. 8,846,112.
- Ex. 1018: Prosecution History of U.S. Patent No. 8,282,966.
- Ex. 1019: Deposition Transcript for January 5, 2016 Deposition of Dr. Geoffrey

L. Rosenthal in IPR2015-00529.

Ex. 1020: December 16, 2015 Notice of Abandonment in Application Serial No. 14/451,057.

Ex. 1021: December 1, 2015 Notice of Abandonment in Application Serial No. 14/454,373.

Ex. 1022: March 14, 2016 Notice of Abandonment in Application Serial No. 14/482,704.

Ex. 1023: Definition of “Contraindication” on Medicine.net.com; <https://web.archive.org/web/20060812144659/http://www.medterms.com/script/main/art.asp?articlekey=17824>, (Aug. 12, 2006), 2 pages.

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