

Filed On Behalf Of:

Novartis AG

By:

Nicholas N. Kallas
NKallas@fchs.com
(212) 218-2100

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BRECKENRIDGE PHARMACEUTICAL, INC.,
Petitioner,

v.

NOVARTIS AG,
Patent Owner.

Case IPR2016-01023
Patent 5,665,772

**PATENT OWNER'S MANDATORY NOTICES
UNDER 37 C.F.R. § 42.8(a)(2)**

REAL PARTY-IN-INTEREST PURSUANT TO 37 C.F.R. § 42.8(b)(1)

Pursuant to the requirements of 37 C.F.R. § 42.8(a)(2), the undersigned states that Novartis AG (“Novartis” or “Patent Owner”) owns U.S. Patent No. 5,665,772 (“the ’772 Patent”). Novartis is the real party-in-interest in IPR2016-01023.

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

The ’772 Patent is being asserted in the following patent infringement lawsuits: (1) Novartis Pharm. Corp. et al. v. Breckenridge Pharm., Inc., No. 14-1043-RGA (D. Del.); (2) Novartis Pharm. Corp. et al. v. Roxane Labs., Inc., No. 14-1196-RGA (D. Del.); (3) Novartis Pharm. Corp. et al. v. Par Pharm., Inc., No. 14-1289-RGA (D. Del.); (4) Novartis Pharm. Corp. et al. v. Par Pharm., Inc., No. 14-1494-RGA (D. Del.); (5) Novartis Pharm. Corp. et al. v. Roxane Labs., Inc., No. 14-1508-RGA (D. Del.); (6) Novartis Pharm. Corp. et al. v. Par Pharm., Inc., No. 15-78-RGA (D. Del.); and (7) Novartis Pharm. Corp. et al. v. Roxane Labs., Inc., No. 15-128-RGA (D. Del.).

The ’772 Patent is also involved in the following *Inter Partes* Review proceedings: (1) Novartis AG v. Par Pharm., Inc., *Inter Partes* Review No. 2016-00084 (P.T.A.B.); (2) Novartis AG v. Par Pharm., Inc., *Inter Partes* Review No. 2016-01059 (P.T.A.B.); (3) Novartis AG v. Breckenridge Pharm., Inc., *Inter*

Partes Review No. 2016-01103 (P.T.A.B.); and (4) Novartis AG v. Roxane Laboratories, Inc., *Inter Partes* Review No. 2016-01102 (P.T.A.B.).

Other proceedings involving different patents that cover the same products as the proceedings above include: (1) Novartis Pharm. Corp. et al. v. Roxane Labs., Inc., No. 15-474 (D. Del.); and (2) Novartis Pharm. Corp. et al. v. Par Pharm., Inc., No. 15-1050 (D. Del.).

**IDENTIFICATION OF LEAD AND BACK-UP COUNSEL
PURSUANT TO 37 C.F.R. §§ 42.8(b)(3) and 42.10**

Pursuant to 37 C.F.R. §§ 42.8(b)(3) and 42.10, Novartis designates Nicholas N. Kallas (Reg. No. 32,530) as lead counsel and Raymond R. Mandra (Reg. No. 34,382) as back-up counsel.

A power of attorney from Novartis is being submitted with this Notice.

SERVICE INFORMATION PURSUANT TO 37 C.F.R. § 42.8(b)(4)

Novartis may be served electronically using the following e-mail address:

ZortressAfinitorIPR@fchs.com

Novartis may be served by postal mailing, hand-delivery, telephone or facsimile as follows:

Nicholas N. Kallas
Fitzpatrick, Cella, Harper & Scinto
1290 Avenue of the Americas
New York, NY 10104
Telephone: (212) 218-2100
Facsimile: (212) 218-2200

Respectfully submitted,

Dated: May 31, 2016

/ Nicholas N. Kallas /
Nicholas N. Kallas
Registration No. 32,530
Lead Counsel for Patent Owner
FITZPATRICK, CELLA, HARPER
& SCINTO
1290 Avenue of the Americas
New York, NY 10104-3800
Tel. 212-218-2100

CERTIFICATE OF SERVICE

I certify that a copy of the Patent Owner's Mandatory Notices Under 37 C.F.R. § 42.8(a)(2) was served on May 31, 2016 by causing it to be sent by email to counsel for Petitioner at the following email address:

mfedowitz@merchantgould.com

Dated: May 31, 2016

/ Nicholas N. Kallas /
Nicholas N. Kallas
Registration No. 32,530
FITZPATRICK, CELLA, HARPER
& SCINTO
1290 Avenue of the Americas
New York, NY 10104-3800
Tel. 212-218-2100