

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC., TEVA PHARMACEUTICALS USA,
INC. and AKORN INC.,¹
Petitioners,

v.

ALLERGAN, INC.
Patent Owner.

Case IPR2016-01127 (8,685,930 B2)
Case IPR2016-01128 (8,629,111 B2)
Case IPR2016-01129 (8,642,556 B2)
Case IPR2016-01130 (8,633,162 B2)
Case IPR2016-01131 (8,648,048 B2)
Case IPR2016-01132 (9,248,191 B2)

**PETITIONER MYLAN PHARMACEUTICALS INC.'S MANDATORY
CHANGE-OF-INFORMATION NOTICES**

¹ Cases IPR2017-00576 and IPR2017-00594, IPR2017-00578 and IPR2017-00596, IPR2017-00579 and IPR2017-00598, IPR2017-00583 and IPR2017-00599, IPR2017-00585 and IPR2017-00600, and IPR2017-00586 and IPR2017-00601, have respectively been joined with the captioned proceedings. The word-for-word identical paper is filed in each proceeding identified in the caption pursuant to the Board's Scheduling Order (Paper 10).

Pursuant to 37 C.F.R. § 42.8(a)(3), the undersigned on behalf of and acting in a representative capacity for Petitioner Mylan Pharmaceuticals Inc. (“Mylan”), hereby submits the following mandatory change-of-information notices in connection with the *inter partes* reviews identified in the caption.

A. Real Party-In-Interest (37 C.F.R. § 42.8(b)(1)) – Unchanged

B. Related Matters (37 C.F.R. § 42.8(b)(2)) – Revised

In *Allergan, Inc. & St. Regis Mohawk Tribe v. Teva Pharmaceuticals USA, Inc., et al.*, 15-cv-1455 (E.D. Tex.), “the 13 asserted claims of the patents in suit—claims 26 and 27 of U.S. Patent No. 8,629,111; claims 1, 11, 13, 14, and 23 of U.S. Patent No. 8,648,048; claim 35 of U.S. Patent No. 8,685,930; and claims 13, 16, 22, 26, and 27 of U.S. Patent No. 9,248,191—are declared to be invalid on the ground of obviousness, under 35 U.S.C. § 103 (2006).” *See* Dkt. No. 524 at 1 (final judgment); *id.*, Dkt. No. 523 at 135 (findings of fact and conclusions of law).

Regarding joinder of the Tribe, the Court stated:

[T]he Court has serious reservations about whether the contract between Allergan and the Tribe should be recognized as valid, rather than being held void as being contrary to public policy. ... [But] the Court is not required to decide whether the assignment of the patent rights from Allergan to the Tribe was valid in order to resolve the question whether to add the Tribe as a co-plaintiff. Instead, the Court will adopt the safer course of joining the Tribe as a co-plaintiff, while

leaving the question of the validity of the assignment to be decided in the IPR proceedings, where it is directly presented.”

Id., Dkt. No. 522 (F.R.C.P. 25 Memorandum and Order) at 5, 9.

C. Lead and Back-up Counsel (37 C.F.R. § 42.8(b)(3)) – Unchanged

D. Electronic Service – Unchanged

Respectfully submitted,

Dated: October 17, 2017

/ Steven W. Parmelee /

Steven W. Parmelee

Reg. No. 31,990

CERTIFICATE OF SERVICE

This is to certify that I caused to be served a true and correct copy of the foregoing Petitioner Mylan Pharmaceuticals Inc.'s Mandatory Change-of-Information Notices on this 17th day of October, 2017, on the Patent Owner at the correspondence address of Allergan, Inc. and St. Regis Mohawk Tribe as follows:

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Respectfully submitted,

Dated: October 17, 2017

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