

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APOTEX INC. and APOTEX CORP.,
Petitioners,

v.

ELI LILLY & COMPANY,
Patent Owner.

Case No: IPR2016-01191
Patent No. 7,772,209

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

Patent Owner Eli Lilly and Company hereby files mandatory notices pursuant to 37 C.F.R. § 42.8(a)(2). These notices are being timely filed within 21 days of the service of the Petition. The Petition was filed on July 1, 2016.

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

Eli Lilly and Company is the owner of the entire interest in U.S. Patent No. 7,772,209.

B. Notice of Related Matters (37 C.F.R. § 42.8(b)(2)).

The Patent Owner identifies the following copending litigation that may affect, or may be affected by, a decision in this *Inter Partes* Review:

- *Eli Lilly & Co. v. Teva Parenteral Medicines Inc., APP Pharms., LLC, Pliva Hrvatska d.o.o., Teva Pharms. USA, Inc., and Barr Labs., Inc.*, Federal Circuit Case No. 2015-2067 (appealed from S.D. Indiana Case No. 1:10-cv-1376-TWP-DKL)
- *Eli Lilly & Co. v. Accord Healthcare Inc. and Apotex Inc.*, S.D. Indiana Case No. 1:12-cv-0086-TWP-DKL
- *Eli Lilly & Co. v. Sun Pharm. Indus. Ltd. and Sun Pharma Global FZE*, S.D. Indiana Case No. 1:13-cv-1469-TWP-DKL
- *Eli Lilly & Co. v. Glenmark Generics, Inc., USA*, S.D. Indiana Case No. 1:14-0104-TWP-DKL
- *Eli Lilly & Co. and the Trustees of Princeton Univ. v. Nang Kuang Pharm. Co., Ltd., CANDAK-2, LLC, Sandoz Inc., Mylan Labs. Ltd., Mylan Inc., Emcure Pharms. Ltd., Heritage Pharma Labs Inc., and*

Heritage Pharms., Inc., S.D. Indiana Case No. 1:14-cv-1647-TWP-

DKL (consolidated)

- *Neptune Generics, LLC v. Eli Lilly & Co.*, Patent Trial and Appeal Board, IPR2016-00237
- *Neptune Generics, LLC v. Eli Lilly & Co.*, Patent Trial and Appeal Board, IPR2016-00240
- *Sandoz Inc. v. Eli Lilly & Co.*, Patent Trial and Appeal Board, IPR2016-00318
- *Eli Lilly & Co. v. Dr. Reddy's Laboratories Ltd., et al.*, S.D. Indiana Case No. 1:16-cv-00308-TWP-DKL
- *Eli Lilly & Co. v. Biocon Limited*, S.D. Indiana Case No. 1:16-cv-00469-TWP-DKL
- *Apotex Inc. & Apotex Corp. v. Eli Lilly & Company*, Patent Trial and Appeal Board, IPR2016-01190
- *Wockhardt Bio AG v. Eli Lilly & Company*, Patent Trial and Appeal Board, IPR2016-01335
- *Wockhardt Bio AG v. Eli Lilly & Company*, Patent Trial and Appeal Board, IPR2016-01337
- *Teva Pharmaceuticals USA, Inc. & Fresenius Kabi USA, LLC v. Eli Lilly & Company*, Patent Trial and Appeal Board, IPR2016-01340

- *Teva Pharmaceuticals USA, Inc. & Fresenius Kabi USA, LLC v. Eli Lilly & Company*, Patent Trial and Appeal Board, IPR2016-01341
- *Teva Pharmaceuticals USA, Inc. & Fresenius Kabi USA, LLC v. Eli Lilly & Company*, Patent Trial and Appeal Board, IPR2016-01343
- *Wockhardt Bio AG v. Eli Lilly & Company*, Patent Trial and Appeal Board, IPR2016-01393
- *Apotex Inc., Apotex Corp., Emcure Pharmaceuticals Ltd., Heritage Pharma Labs Inc., Heritage Pharmaceuticals Inc., Glenmark Pharmaceuticals Inc., USA, Glenmark Holding SA, Glenmark Pharmaceuticals Ltd., Mylan Laboratories Limited*, Patent Trial and Appeal Board, IPR2016-01429

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

Patent Owner designates the following counsel:

Lead Counsel: Dov P. Grossman (Reg. No. 72,525)
 Williams & Connolly LLP
 725 Twelfth St. NW
 Washington DC 20005
 Direct Phone: 202-434-5812
 Facsimile: 202-434-5029

Back-up Counsel: David M. Krinsky (Reg. No. 72,339)
 Williams & Connolly LLP
 725 Twelfth St. NW
 Washington DC 20005
 Direct Phone: 202-434-5338
 Facsimile: 202-480-8302

Back-up Counsel: James P. Leeds (Reg. No. 35,241)
Eli Lilly and Company
Lilly Corporate Center
Indianapolis, IN 46285
Direct Phone: 317-276-1667
Facsimile: 317-277-6534

D. Service Information (37 C.F.R. § 42.8(b)(4))

Please direct all correspondence regarding this proceeding to the lead counsel at the address listed above. Patent Owner also consents to electronic service by email to dgrossman@wc.com, dkrinsky@wc.com, and leeds_james@lilly.com.

The Patent Trial and Appeal Board is hereby authorized to charge any fees associated with this proceeding to Deposit Account 506403.

Date: July 19, 2016

Respectfully submitted,

/Dov P. Grossman/
Dov P. Grossman
Reg. No. 72,525
Lead Counsel for
Patent Owner

Williams & Connolly LLP
725 Twelfth Street, N.W.
Washington, D.C. 20005
202-434-5812 (Telephone)
202-434-5029 (Facsimile)
dgrossman@wc.com

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.