

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APOTEX INC., APOTEX CORP., APOTEX PHARMACEUTICALS
HOLDINGS INC., and APOTEX HOLDINGS, INC.,
Petitioners,

v.

OSI PHARMACEUTICALS, INC.,
Patent Owner.

U.S. Patent No. 6,900,221

Issue Date: May 31, 2005

Title of Patent: Stable Polymorph on N-(3-ethylphenyl)-6,7-bis(2methoxyethoxy)-
4-quinazolinamine hydrochloride, Methods of Production,
and Pharmaceutical uses thereof

Case No.: T.B.D.

**PETITION FOR *INTER PARTES* REVIEW
OF U.S. PATENT NO. 6,900,221 UNDER
35 U.S.C. §§ 311-319 AND 37 C.F.R. § 42**

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EXHIBIT LIST (37 C.F.R. § 42.63(e))

Petitioners’ Ex. No.	Description
1001	U.S. Patent No. 6,900,221, titled “Stable Polymorph on N-(3-ethylphenyl)-6,7-bis(2methoxyethoxy)-4-S hydrochloride, Methods of Production, and Pharmaceutical uses thereof,” issued May 31, 2005
1002	Declaration of Giuseppe Giaccone, M.D., Ph.D.
1003	Excerpt from Prosecution History of U.S. Patent No. 6,900,221, Amendment dated June 19, 2002
1004	Excerpt from Prosecution History of U.S. Patent No. 6,900,221, Office Action dated August 30, 2002
1005	Excerpt from Prosecution History of U.S. Patent No. 6,900,221, Amendment dated February 28, 2003
1006	Excerpt from Prosecution History of U.S. Patent No. 6,900,221, Notice of Allowance dated June 18, 2003
1007	Provisional Appl. No. 60/164,907, filed November 11, 1999
1008	Provisional Appl. No. 60/193,191, filed March 30, 2000
1009	U.S. Patent No. 5,747,498, titled “Alkynyl and Azido-Substituted 4-Anilinoquinazolines,” issued May 5, 1998
1010	J.B. Gibbs, “Anticancer drug targets: growth factors and growth factor signaling,” <i>The Journal of Clinical Investigation</i> 105(1):9-13 (Jan. 2000)
1011	Annual Report pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 for the Fiscal Year Ended September 30, 1998 Commission File Number 0-15190 OSI Pharmaceuticals, Inc.
1012	Declaration of Laurence S. Lese, Esq.
1013	A.E. Wakeling <i>et al.</i> , “Specific inhibition of epidermal growth factor receptor tyrosine kinase by 4-anilinoquinazolines,” <i>Breast Cancer Research and Treatment</i> 38:67-73 (1996)
1014	D.K. Moscatello <i>et al.</i> , “Constitutive Activation of Phosphatidylinositol 3-Kinase by a Naturally Occurring Mutant Epidermal Growth Factor Receptor,” <i>The Journal of Biological Chemistry</i> 273(1): 200-206 (January 1998)

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