

Paper No. ____
Date Filed: July 12, 2016

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ARGENTUM PHARMACEUTICALS LIMITED,
Petitioner

v.

JANSSEN ONCOLOGY, INC.,
Patent Owner

Case IPR2016-01317
Patent 8,822,438

JANSSEN ONCOLOGY, INC.'S MANDATORY NOTICES

Janssen Oncology, Inc. submits the following mandatory notices pursuant to 37 C.F.R. §42.8

REAL PARTY-IN-INTEREST

Janssen Oncology, Inc., a wholly-owned subsidiary of Johnson & Johnson (“J&J”), is a real party-in-interest. J&J, a publicly held company, is also a real party-in-interest. In addition, BTG International Limited, a subsidiary of BTG plc, is a real party-in-interest.

RELATED MATTERS

U.S. Patent 8,822,438 (the “’438 Patent”) issued from U.S. Application No. 13/034,340 (the “’340 Application”). U.S. Patent Application No. 15/019,353, which is currently pending before the Office, claims the benefit of the ’340 Application.

The ’438 Patent was the subject of *ex parte* reexamination request No. 90/020,096 (the “’096 reexamination”). On June 14, 2016, the Office issued a Notice of Termination of Preprocessing of the ’096 reexamination. As a result, the ’096 reexamination will not be granted a filing date for failure to comply with the requirements of 37 C.F.R. § 1.501(a). *See* Ex. 2001.

The ’438 Patent is the subject of *inter partes* reviews IPR2016-00286, which was instituted on May 31, 2016 and was filed by Amerigen Pharmaceuticals

IPR2016-01317
Patent 8,822,438

Limited, and IPR2016-01332, which was filed by Mylan Pharmaceuticals Inc. on June 30, 2016.

The '438 Patent is being asserted in the following patent infringement lawsuits:

- *BTG International Limited, et al. v. Actavis Laboratories FL, Inc., et al.*, C.A. No. 2:15-cv-05909-KM-JBC (D.N.J.) (the “District of New Jersey Action”);
- *Janssen Biotech, Inc., et al. v. Mylan Pharmaceuticals Inc., et al.*, C.A. No. 1:15-cv-00130-IMK (N.D. W. Va.) (stayed; conditional trial date set for February 2018);
- *BTG International Limited, et al. v. Amerigen Pharmaceuticals, Inc., et al.*, C.A. No. 2:16-cv-02449-KM-JBC (D.N.J.); and
- *BTG International Limited, et al. v. Glenmark Pharmaceuticals Inc., USA et al.*, C.A. No. 2:16-cv-05909 (D.N.J.).

The '438 Patent was asserted in the following patent infringement lawsuits that have now been terminated:

- *Janssen Biotech, Inc., et al. v. Par Pharmaceutical, Inc., et al.*, C.A. No. 1:15-cv-00679-SLR (D. Del.); and
- *BTG International Limited, et al. v. Actavis Laboratories FL, Inc., et al.*, C.A. No. 9:15-cv-81076-DMM (S.D. Fla.).

LEAD AND BACKUP COUNSEL

Lead Counsel

Dianne B. Elderkin (Reg. No. 28,598)
delderkin@akingump.com
AKIN GUMP STRAUSS HAUER
& FELD LLP
Two Commerce Square
2001 Market Street, Suite 4100
Philadelphia, PA 19103
Tel.: (215) 965-1340
Fax: (215) 965-1210

Backup Counsel

Barbara L. Mullin (Reg. No. 38,250)
bmullin@akingump.com
Ruben H. Munoz (Reg. No. 66,998)
rmunoz@akingump.com
AKIN GUMP STRAUSS HAUER
& FELD LLP
Two Commerce Square
2001 Market Street, Suite 4100
Philadelphia, PA 19103
Tel.: (215) 965-1200
Fax: (215) 965-1210

SERVICE INFORMATION

Janssen consents to electronic service at the following email address:

JANS-ZYTIGA@akingump.com
ZytigaIPRTeam@sidley.com

Janssen may be served courtesy copies by postal mailing or hand-delivery as follows:

Dianne B. Elderkin
AKIN GUMP STRAUSS HAUER & FELD LLP
Two Commerce Square
2001 Market Street, Suite 4100
Philadelphia, PA 19103
Tel.: (215) 965-1340
Fax: (215) 965-1210

Respectfully submitted,

Date: July 12, 2016

/s/Dianne B. Elderkin/
Dianne B. Elderkin
Registration No. 28,598
Counsel for Patent Owner

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