

Paper No. _____
Filed: July 20, 2016

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC.

Petitioner

v.

ASTRAZENECA AB

Patent Owner

Case IPR2016-01324

U.S. Patent 7,456,160

**PATENT OWNER'S MANDATORY
NOTICES PURSUANT TO 37 C.F.R. § 42.8**

Pursuant to 37 C.F.R. § 42.8, the undersigned on behalf of and acting in a representative capacity for patent owner AstraZeneca AB, hereby submits the following mandatory notices in connection with the Petition for *Inter Partes* Review of United States Patent No. 7,456,160 (the “’160 patent”), Case No. IPR2016-01324.

REAL PARTY-IN-INTEREST

AstraZeneca AB is Patent Owner. AstraZeneca UK Limited is the beneficial owner of the ’160 patent and holder of approved New Drug Application (“NDA”) No. 21-344 for FASLODEX[®] (fulvestrant) intramuscular injection, in 50 mg/mL dosage forms. AstraZeneca Pharmaceuticals LP is the authorized agent for matters related to NDA No. 21-344 in the United States.

RELATED MATTERS

The ’160 patent has been asserted in the following actions: *AstraZeneca Pharmaceuticals LP et al. v. Sandoz Inc.*, C.A. No. 1:14-cv-03547-RMB-KMW (D.N.J.); *AstraZeneca Pharmaceuticals LP et al. v. Sagent Pharmaceuticals, Inc.*, C.A. No. 1:14-cv-05539-RMB-KMW (D.N.J.) (consolidated as 1:14-cv-03547); *AstraZeneca Pharmaceuticals LP et al. v. Glenmark Pharmaceuticals Inc., USA*, C.A. No. 1:15-cv-00615-RMB-KMW (D.N.J.) (consolidated as 1:14-cv-03547); *AstraZeneca Pharmaceuticals LP et al. v. Agila Specialties, Inc. et al.*, C.A. No. 1:15-cv-06039-RMB-KMW (D.N.J.); *AstraZeneca Pharmaceuticals LP et al. v. Mylan Pharmaceuticals Inc. et al.*, C.A. No. 1:15-cv-7009-RMB-KMW (consolidated as 1:15-cv-06039); *AstraZeneca Pharmaceuticals LP et al. v. Teva Pharmaceuticals USA, Inc.*, C.A. No. 1:15-cv-7889-RMB-KMW (D.N.J.) (consolidated as 1:15-cv-06039); *AstraZeneca Pharmaceuticals LP et al. v. InnoPharma Licensing LLC*, C.A. No. 1:16-cv-1962-RMB-KMW (D.N.J.) (consolidated as 1:15-cv-06039); *AstraZeneca Pharmaceuticals LP et al. v. Teva Parenteral Medicines Inc. et al.*, C.A. No. 1:10-cv-00018 (D. Del.) (dismissed); *AstraZeneca*

Pharmaceuticals LP et al. v. Sagent Pharmaceuticals, Inc., C.A. No. 1:14-cv-07358 (N.D. Ill.) (dismissed); *AstraZeneca Pharmaceuticals LP et al. v. Mylan Pharmaceuticals Inc. et al.*, C.A. No. 1:15-cv-00183 (N.D. W. Va.); *AstraZeneca Pharmaceuticals LP et al. v. InnoPharma, Inc.*, C.A. No. 1:16-cv-00894-RMB-KMW (D.N.J.) (dismissed).

Three related patents have been involved in district court proceedings: U.S. Patent Nos. 6,774,122 (the “’122 patent”); 8,329,680 (the “’680 patent”); and 8,466,139 (the “’139 patent”).

Concurrently with this petition, Petitioner submitted three other petitions for *inter partes* review: IPR2016-01316 on the ’122 patent; IPR2016-01325 on the ’680 patent; and IPR2016-01326 on the ’139 patent.

**LEAD AND BACK-UP COUNSEL
AND SERVICE INFORMATION**

Lead counsel:

Filko Prugo (Reg. No. 73,092)
O’MELVENY & MYERS LLP
Times Square Tower
7 Times Square
New York, NY 10036
Phone: (212) 326-2000
Fax: (212) 326-2061
Email: fprugo@omm.com

Back-up counsel:

Caitlin Hogan (Reg. No. 61,515)
O’MELVENY & MYERS LLP
Times Square Tower
7 Times Square
New York, NY 10036
Phone: (212) 326-2000
Fax: (212) 326-2061
Email: chogan@omm.com

Other counsel:

Marc Pensabene (Reg. No. 37,416)

O'MELVENY & MYERS LLP
Times Square Tower
7 Times Square
New York, NY 10036
Phone: (212) 326-2000
Fax: (212) 326-2061
Email: mpensabene@omm.com

Kevin Murray (Reg. No. 69,529)
O'MELVENY & MYERS LLP
400 South Hope Street
Los Angeles, CA 90071
Phone: (213) 430-6100
Email: kmurray2@omm.com

Patent Owner may be served electronically using the following email addresses:

fprugo@omm.com
chogan@omm.com
mpensabene@omm.com
kmurray2@omm.com

Patent Owner may be served by mailing or hand-delivery to the following address:

Filko Prugo (Reg. No. 73,092)
O'MELVENY & MYERS LLP
Times Square Tower
7 Times Square
New York, NY 10036
Phone: (212) 326-2000
Fax: (212) 326-2061
Email: fprugo@omm.com

Caitlin Hogan (Reg. No. 61,515)
O'MELVENY & MYERS LLP
Times Square Tower
7 Times Square
New York, NY 10036
Phone: (212) 326-2000
Fax: (212) 326-2061
Email: chogan@omm.com

Marc Pensabene (Reg. No. 37,416)
O'MELVENY & MYERS LLP
Times Square Tower
7 Times Square
New York, NY 10036
Phone: (212) 326-2000
Fax: (212) 326-2061
Email: mpensabene@omm.com

Kevin Murray (Reg. No. 69,529)
O'MELVENY & MYERS LLP
400 South Hope Street
Los Angeles, CA 90071
Phone: (213) 430-6100
Email: kmurray2@omm.com

Respectfully submitted,

Dated: July 20, 2016

/s/ Filko Prugo

Filko Prugo (Reg. No. 73,092)

O'MELVENY & MYERS LLP
Times Square Tower
7 Times Square
New York, NY 10036
Phone: (212) 326-2000
Fax: (212) 326-2061
Email: fprugo@omm.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.