

Filed On Behalf Of:

Novartis AG

By:

Nicholas N. Kallas
NKallas@fchs.com
ZortressAfinitorIPR@fchs.com
(212) 218-2100

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PAR PHARMACEUTICAL, INC.,
ARGENTUM PHARMACEUTICAL LLC, AND
WEST-WARD PHARMACEUTICALS
INTERNATIONAL LIMITED
Petitioners,

v.

NOVARTIS AG,
Patent Owner.

Case IPR2016-01479¹
Patent No. 9,006,224

**PATENT OWNER'S UPDATED MANDATORY
NOTICES UNDER 37 C.F.R. § 42.8(a)(2)**

¹ Argentum Pharmaceutical LLC was joined as a party to this proceeding via a Motion for Joinder in IPR2017-01063; West-Ward Pharmaceuticals International Limited was joined as a party via a Motion for Joinder in IPR2017-01078.

Pursuant to the requirements of 37 C.F.R. § 42.8(a)(3), Novartis AG (“Novartis” or “Patent Owner”) submits the following update to its August 12, 2016 Patent Owner’s Mandatory Notices (Paper 4).

REAL PARTY-IN-INTEREST PURSUANT TO 37 C.F.R. § 42.8(b)(1)

The real party-in-interest information has not changed.

RELATED MATTERS PURSUANT TO 37 C.F.R. § 42.8(b)(2)

Since Patent Owner submitted its original Mandatory Notices (Paper 4), the ’224 Patent has been asserted in the following patent infringement lawsuits: (1) Novartis Pharm. Corp. et al. v. Teva Pharmaceuticals USA, Inc., Nos. 17-393-RAG, 17-867-RGA (D. Del.).

The ’224 Patent is also the subject of the following Petitions for *Inter Partes* Review: Argentum Pharm. LLC v. Novartis AG, *Inter Partes* Review No. 2017-01063 (P.T.A.B.) and West-Ward Pharms. Int’l Ltd. v. Novartis AG, *Inter Partes* Review No. 2017-01078 (P.T.A.B.), which have recently been joined with this *Inter Partes* Review (IPR2017-01063, Paper 11; IPR2017-01078, Paper 9).

Since Patent Owner submitted its Mandatory Notices (Paper 4), the following other patent infringement lawsuits involving different patents that cover the same product as the proceedings have been filed:

(1) Novartis Pharms. Corp. et al. v. Breckenridge Pharm., Inc., No. 17-420 (D. Del.); (2) Novartis Pharms. Corp. et al. v. Mylan Pharms. Inc., No. 17-389-RGA (D. Del.); (3) Novartis Pharms. Corp. et al. v. Mylan Pharms. Inc., No. 17-54-IMK (D. W.Va.).

Since Patent Owner submitted its Mandatory Notices (Paper 4), the following other *Inter Partes* Review proceeding involving a different patent that covers the same product as the proceedings has been filed:

- **U.S. Patent No. 8,410,131:** Breckenridge Pharm., Inc. v. Novartis Pharms. Corp., *Inter Partes* Review No. 2017-01592 (P.T.A.B.).

**IDENTIFICATION OF LEAD AND BACK-UP COUNSEL
PURSUANT TO 37 C.F.R. §§ 42.8(b)(3) and 42.10**

The lead counsel information has not changed.

The Patent Owner hereby notifies the Board that it is removing back-up counsel Raymond R. Mandra (Reg. No. 34,382) and adding attorney of record Charlotte Jacobsen (admitted *pro hac vice*) as back-up counsel, as well as Peter J. Waibel (Reg. No. 43,228) and Gregory D. Ferraro (Reg. No. 36,134) as additional back-up counsel, as shown below. All other counsel information remains the same.

Lead Counsel	Back-Up Counsel
Nicholas N. Kallas FITZPATRICK, CELLA, HARPER & SCINTO	Charlotte Jacobsen (<i>pro hac vice</i>) FITZPATRICK, CELLA, HARPER & SCINTO

1290 Avenue of the Americas New York, NY 10104-3800 Tel. 212-218-2100 nkallas@fchs.com	1290 Avenue of the Americas New York, NY 10104-3800 Tel. 212-218-2100 cjacobsen@fchs.com
Additional Back-Up Counsel	Additional Back-Up Counsel
Peter J. Waibel (Reg. No. 43,228) NOVARTIS PHARMACEUTICALS CORPORATION One Health Plaza, Bldg. 430 East Hanover, NJ 07936-1080 Tel. 862-778-7838	Gregory D. Ferraro (Reg. No. 36,134) NOVARTIS PHARMACEUTICALS CORPORATION One Health Plaza, Bldg. 430 East Hanover, NJ 07936-1080 Tel. 862-778-7838

A power of attorney from Novartis designating Charlotte Jacobsen, Peter J. Waibel, and Gregory D. Ferraro is being submitted with this Notice.

SERVICE INFORMATION PURSUANT TO 37 C.F.R. § 42.8(b)(4)

The service information has not changed.

Respectfully submitted,

Dated: October 4, 2017

/ Nicholas N. Kallas /
Nicholas N. Kallas
Registration No. 31,530
Lead Counsel for Patent Owner
FITZPATRICK, CELLA, HARPER
& SCINTO
1290 Avenue of the Americas
New York, NY 10104-3800
Tel. 212-218-2100

CERTIFICATE OF SERVICE

I certify that a copy of Patent Owner's Updated Mandatory Notices Under 37 C.F.R. § 42.8(a)(2) was served on October 4, 2017 by causing it to be sent by email to counsel for Petitioner at the following email addresses:

Daniel G. Brown (daniel.brown@lw.com)

Jonathan M. Strang (jonathan.strang@lw.com)

Brenda L. Danek (brenda.danek@lw.com)

Kevin Laurence (klaurence@lpiplaw.com)

Matthew Phillips (mphilips@lpiplaw.com)

Tyler C. Liu (tliu@agpharm.com)

Keith A. Zullo (kzullo@goodwinprocter.com)

Marta E. Delsignore (mdesignore@goodwinprocter.com)

Dated: October 4, 2017

/ Nicholas N. Kallas /
Nicholas N. Kallas
Registration No. 31,530
FITZPATRICK, CELLA, HARPER
& SCINTO
1290 Avenue of the Americas
New York, NY 10104-3800
Tel. 212-218-2100