

Paper No. ____
Date Filed: Jan. 27, 2017

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WOCKHARDT BIO AG,
Petitioner,

v.

JANSSEN ONCOLOGY, INC.,
Patent Owner

Case IPR2016-01582
Patent 8,822,438

JANSSEN ONCOLOGY, INC.'S UPDATED 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. (“Janssen”), 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 the following *inter partes* reviews:

- IPR2016-00286, which was instituted on May 31, 2016 and was filed by Amerigen Pharmaceuticals Limited;

- IPR2016-01317, which was filed by Argentum Pharmaceuticals LLC on June 29, 2016 (now joined with IPR2016-00286); 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.);
- *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.).

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