

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AKORN INC.,
Petitioner

v.

ALLERGAN, INC.
Patent Owner

Case IPR2017-00601
Patent 9,248,191

**PATENT OWNER ALLERGAN, INC.'S
MANDATORY NOTICES**

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

Pursuant to 37 C.F.R. § 42.8, the patent owner, Allergan, Inc. (“Patent Owner”), hereby submits the following Mandatory Notices in response to the Petition for *Inter Partes* Review of U.S. Patent No. 9,248,191.

1. Real Party-In-Interest under 37 CFR § 42.8(b)(1)

Allergan, Inc. is the Patent Owner and the Real Party-In-Interest in this proceeding.

2. Related Matters under 37 CFR § 42.8(b)(2)

The following judicial or administrative matters may affect or be affected by a decision in this proceeding: *Allergan, Inc. v. Teva Pharmaceuticals USA, Inc., et al.*, No. 2:15-cv-01455 (D. Texas); *Allergan, Inc., v. Innopharma, Inc. and Pfizer, Inc.*, No. 2:15-cv-1504 (D. Texas); and *Allergan, Inc. v. Famy Care, Ltd.*, No. 2:16-CV-0401 (D. Texas).

The following petitions for *inter partes review* are related: U.S. 8,648,048 (IPR2015-01284, terminated before institution), U.S. 8,633,162 (IPR2015-01278, terminated before institution), 8,642,556 (IPR2015-01286, terminated before institution), 8,629,111 (IPR2016-01232 and IPR2015-01282, terminated before institution), and 8,685,930 (IPR2015-01283, terminated before institution).

The following petitions for *inter partes review* are pending for U.S. Patent No. 9,248,191 (IPR2016-01132, IPR2017-00569, IPR2017-00586), and related U.S. Patent Nos. 8,685,930 (IPR2016-01127, IPR2017-00571, IPR2017-00594, IPR2017-00576), 8,629,111 (IPR2016-01128, IPR2017-00567, IPR2017-00596, IPR2017-00578), 8,642,556 (IPR2016-01129 IPR2017-00570, IPR2017-00598, IPR2017-00579), 8,633,162 (IPR2016-01130 IPR2017-00568, IPR2017-00599, IPR2017-00583), and 9,248,191 (IPR2016-01132, IPR2017-00569, IPR2017-00601, IPR2017-00586) and 8,648,048 (IPR2016-01131, IPR2017-00566, IPR2017-00600, IPR2017-00585).

The following patents and pending patent applications are related to U.S. Patent No. 9,248,191: U.S. Application No. 15/011,159, filed January 29, 2016, claims the benefit of U.S. Application No. 14/222,478 (9,248,191), which is a continuation, via U.S. Application Nos. 13/961,828 and 11/897,177, of U.S. Application No. 10/927,857.

3. Lead and Back-Up Counsel, under 37 CFR § 42.8(b)(3)

The Patent Owner designates the following lead and back-up counsel:

LEAD COUNSEL	BACK-UP COUNSEL
Dorothy P. Whelan, Reg. No. 33,814 3200 RBC Plaza 60 South Sixth Street Minneapolis, MN 55402 Tel: (612) 337-2509 Email: IPR13351-0008IPO@fr.com Fax: (612) 288-9696	Michael Kane, Reg. No. 39,722 3200 RBC Plaza 60 South Sixth Street Minneapolis, MN 55402 Tel: (612) 337-2502 Email: PTABInbound@fr.com Fax: (612) 288-9696

4. Service Information under 37 CFR § 42.8(b)(4)(i) *et seq.*

Please address all correspondence and service to both counsel as listed above. Patent Owner consents to service by email at IPR13351-0008IPO@fr.com (ref.: Docket No. IPR13351-0008IPO).

Respectfully submitted,

Date/January 23, 2017/

/Dorothy P. Whelan/

Dorothy P. Whelan

Reg. No. 33,814

Customer Number 26191
Fish & Richardson P.C.
Telephone: (612) 337-2508
Facsimile: (612) 288-9696

CERTIFICATE OF SERVICE

Pursuant to 37 CFR §§ 42.6(e)(4) and 42.205(b), the undersigned certifies that on January 23, 2017, a complete and entire copy of this Patent Owner Allergan, Inc.'s Mandatory Notices and Power of Attorney were provided via electronic service, to the Petitioner by serving the correspondence address of record as follows:

Michael R. Dzwonczyk
Azy S. Kokabi
Travis B. Ribar
Sughrue Mion, PLLC
2100 Pennsylvania Ave., NW, Suite 800
Washington, DC 20037

mdzwonczyk@sughrue.com

akokabi@sughrue.com

tribar@sughrue.com

sughrue@sughrue.com

/Jessica K. Detko/

Jessica K. Detko
Fish & Richardson P.C.
60 South Sixth Street, Suite 3200
Minneapolis, MN 55402
(612) 337-2516