

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

ACTAVIS LLC,  
Petitioner

v.

ABRAXIS BIOSCIENCE, LLC,  
Patent Owner

---

Case IPR2017-01101  
Patent 7,820,788 B2

---

**PETITIONERS' UPDATED EXHIBIT LIST**  
**(as of November 3, 2017)**

Mail Stop PATENT BOARD  
Patent Trial and Appeal Board  
United States Patent and Trademark Office  
PO Box 1450  
Alexandria, Virginia 22313-1450  
Submitted Electronically via the Patent Review Processing System

## LIST OF EXHIBITS

EX.	Description
1001	Desai et al., U.S. Patent No. 7,820,788 B2, “Compositions and Methods of Delivery of Pharmacological Agents” (issued Oct. 26, 2010) (the “788 patent”)
1002	Declaration of Cory J. Berkland, Ph.D. in Support of Petition for <i>Inter Partes</i> Review
1003	Desai et al., U.S. Patent No. 5,439,686, “Methods for <i>In Vivo</i> Delivery of Substantially Water Insoluble Pharmacologically Active Agents and Compositions Useful therefor” (issued Aug. 8, 1995) (the “686 patent”)
1004	Kadima et al., WO 2000/006152, “Pharmaceutically Acceptable Composition Comprising an Aqueous Solution of Paclitaxel and Albumin” (published Feb. 10, 2000) (“Kadima”)
1005	Liversidge et al., U.S. Patent No. 5,399,363, “Surface Modified Anticancer Nanoparticles” (issued Mar. 21, 1995) (“Liversidge”)
1006	Desai et al., WO 1999/000113, “Novel Formulations of Pharmacological Agents, Methods for the Preparation thereof and Methods for the Use thereof” (published Jan. 7, 1999) (“Desai”)
1007	Li et al., “Fluorescein Binding to Normal Human Serum Proteins Demonstrated by Equilibrium Dialysis,” <i>Arch Ophthalmol.</i> vol. 100, 484–87 (March 1982)
1008	Physicians’ Desk Reference® 309, 881–887 (54th ed. 2000) “Taxol® (paclitaxel) Injection” (“Taxol® label”)
1009	FDA Guideline on Sterile Drug Products Produced by Aseptic Processing (June 1987, reprinted June 1991 and Feb. 1997)
1010	EMA Guidance on Manufacture of the Finished Dosage Form (April 1996)
1011	<i>Elan Pharma Int’l Ltd. v. Abraxis BioScience, Inc.</i> , Judgment and Verdict Form, No. 06-438-GMS, Dkt. 614 (D. Del. June 16, 2008)
1012	<i>Elan Pharma Int’l Ltd. v. Abraxis BioScience, Inc.</i> , Sixth Day of Trial, No. 06-438-GMS, Dkt. 624 (D. Del. June 9, 2008)

<b>EX.</b>	<b>Description</b>
<b>1013</b>	<i>Elan Pharma Int'l Ltd. v. Abraxis BioScience, Inc.</i> , Seventh Day of Trial, No. 06-438-GMS, Dkt. 625 (D. Del. June 10, 2008)
<b>1014</b>	Grinstaff et al., U.S. Patent No. 5,498,421, "Composition Useful for <i>In Vivo</i> Delivery of Biologics and Methods Employing Same (issued Mar. 12, 1996) (the "421 patent")
<b>1015</b>	Patient Information Leaflet, "ABRAXANE® for Injectable Suspension (paclitaxel protein-bound particles for injectable suspension) (albumin-bound)" (revised May 2007)
<b>1016</b>	Administrative Documents, New Drug Application No. 21-660
<b>1017</b>	Damascelli, B et al. "Intraarterial chemotherapy with polyoxyethylated castor oil free paclitaxel, incorporated in albumin nanoparticles (ABI-007)," <i>Cancer</i> 2001 Nov; 92(10):2592–2602 ("Damascelli")
<b>1018</b>	Ibrahim et al., "Phase I and pharmacokinetic study of ABI-007, a Cremophor-free, protein-stabilized, nanoparticle formulation of paclitaxel," <i>Clin Cancer Res.</i> 2002 May; 8:1038–44 ("Ibrahim")
<b>1019</b>	U.S. Application No. 11/553,339, Non-Final Office Action (mailed Apr. 28, 2009)
<b>1020</b>	U.S. Application No. 11/553,339, Amendment in Response to Non-Final Office Action (dated Oct. 27, 2009)
<b>1021</b>	U.S. Application No. 11/553,339, Final Office Action (mailed Dec. 31, 2009)
<b>1022</b>	U.S. Application No. 11/553,339, Amendment After Final Action Under 37 C.F.R. §1.116 (dated Apr. 14, 2010)
<b>1023</b>	U.S. Application No. 11/553,339, Declaration of Neil P. Desai Pursuant to 37 C.F.R. §1.132 (dated Apr. 14, 2010) (the "Inventor Declaration")
<b>1024</b>	U.S. Application No. 11/553,339, Notice of Allowance and Fee(s) Due (mailed June 1, 2010)
<b>1025</b>	FDA, <i>Approved Drug Products with Therapeutic Equivalence Evaluations</i> (33d ed. 2013) ("Orange Book")

<b>EX.</b>	<b>Description</b>
<b>1026</b>	Desai et al., "Protein Stabilized Pharmacologically Active Agents, Methods for the Preparation Thereof and Methods for the Use Thereof," U.S. Patent No. 5,916,596 (issued Jun. 29, 1999)
<b>1027</b>	Declaration of George C. Lombardi In support of Motion for <i>Pro Hac Vice</i> Admission
<b>1028</b>	Declaration of Charles B. Klein. In support of Motion for Pro Hac Vice Admission
<b>1029</b>	Declaration of Kevin E. Warner In support of Motion for Pro Hac Vice Admission
<b>1030</b>	Declaration of Eimeric Reig-Plessis In support of Motion for Pro Hac Vice Admission

Dated: November 3, 2017

Respectfully submitted,

WINSTON & STRAWN LLP  
 35 W. Wacker Drive  
 Chicago, IL 60601  
 Telephone: 312-558-7931  
 Fax: 312-558-5700  
 Email: [AbraxaneIPR@winston.com](mailto:AbraxaneIPR@winston.com)

/Samuel S. Park/  
 Samuel S. Park  
 Reg. No. 59,656  
  
*Lead Counsel for Petitioner*

## CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§ 42.6(e) and 42.105(a), this is to certify that on November 3, 2017, I caused to be served a true and correct copy of the foregoing **“PETITIONERS’ UPDATED EXHIBIT LIST As Of November 3, 2017 and Exs. 1027-1030”** was served by electronic mail upon the following counsel for

Patent Owner:

***Lead Counsel:***

J. Patrick Elsevier, Ph.D. (Reg. No. 44,668)

Jones Day

4655 Executive Drive, Suite 1500

San Diego, CA 92121-3134

Tel: (858) 314-1200

Fax: (844) 345-3178

[jpelsevier@jonesday.com](mailto:jpelsevier@jonesday.com)

***Backup Counsel:***

Anthony M. Insogna (Reg. No. 35,203)

[aminsogna@jonesday.com](mailto:aminsogna@jonesday.com)

Cary Miller, Ph.D. (Reg. No. 54,708)

[cmiller@jonesday.com](mailto:cmiller@jonesday.com)

Lisamarie LoGiudice, Ph.D. (Reg. No. 71,047)

[llogiudice@jonesday.com](mailto:llogiudice@jonesday.com)

F. Dominic Cerrito (Reg. No. 38,100)

[nickcerrito@quinnemanuel.com](mailto:nickcerrito@quinnemanuel.com)

Frank C. Calvosa (Reg. No. 69,064)

[frankcalvosa@quinnemanuel.com](mailto:frankcalvosa@quinnemanuel.com)

Andrew S. Chalson (pro hac vice)

[Andrewchalson@quinnemanuel.com](mailto:Andrewchalson@quinnemanuel.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.