

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ACTAVIS LLC,
Petitioner,

v.

ABRAXIS BIOSCIENCE, LLC,
Patent Owner.

Case IPR2017-01104
Patent 8,138,229

PATENT OWNER'S MANDATORY NOTICES

Abraxis BioScience, LLC, the Patent Owner, provides the following mandatory notices pursuant to 37 C.F.R. § 42.8.

REAL PARTY-IN-INTEREST

In accordance with 37 C.F.R. § 42.8(b)(1), Patent Owner identifies Abraxis Biosciences, LLC (“Abraxis”) and Celgene Corporation (“Celgene”) as real parties-in-interest. Celgene is a corporation organized and existing under the laws of the State of Delaware, having a principal place of business at 86 Morris Avenue, Summit, New Jersey 07901. Abraxis is a wholly owned subsidiary of Celgene. Abraxis, a corporation organized and existing under the laws of the State of Delaware, having a principal place of business at 11755 Wilshire Boulevard, 20th Floor, Los Angeles, California 90025, is the owner of all right, title and interest in U.S. Patent No. 8,138,229 (“the ’229 Patent”) by virtue of an assignment from the inventors, Neil P. Desai, Patrick Soon-Shiong, and Vuong Trieu. The Assignment was recorded on January 13, 2012 at Reel 027529, Frame 0242.

RELATED MATTERS

Pursuant to 37 C.F.R. § 42.8(b)(2), Patent Owner identifies the following:

A. Proceedings Before the USPTO Involving Related Patents

- The ’229 Patent, which issued from U.S. Application Serial No. 12/910,693, is a continuation of U.S. Application Serial No.

11/553,339, which issued as U.S. Patent No. 7,820,788 (“the ’788 Patent”). The ’788 Patent is the subject of IPR2017-001101.

- U.S. Patent No. 7,923,536 (“the ’536 Patent”), which issued from U.S. Application Serial No. 12/758,413, is a continuation of the U.S. Application Serial No. 11/553,339, which issued as the ’788 Patent. The ’536 Patent is the subject of IPR2017-001103.

B. Litigations Involving the Patent-at-Issue

The ’229 Patent is the subject of the following pending litigations:

- *Abraxis Bioscience, LLC et al v. Actavis, LLC*, 2:16-cv-09074-JMV-MF (D.N.J. April 6, 2016).
- *Abraxis Bioscience, LLC et al v. Cipla Ltd.*, 2:16-cv-09074-JMV-MF (D.N.J. Dec. 7, 2016).

LEAD AND BACKUP COUNSEL AND SERVICE INFORMATION

In accordance with 37 C.F.R. §§ 42.8(b)(3), 42.8(b)(4), and 42.10(a), Patent

Owner identifies the following lead and backup counsel and service information:

Lead counsel: J. Patrick Elsevier, Ph.D.(Reg. No. 44,668)
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Patent Owner consents to electronic service by email.

Pursuant to 37 C.F.R. § 42.10(b), a Power of Attorney is being submitted to the Board herewith.

Respectfully submitted,

Dated: April 24, 2017

/s/ J. Patrick Elsevier, Ph.D. _____

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