

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BOEHRINGER INGELHEIM PHARMACEUTICALS, INC.

Petitioner,

v.

GENENTECH, INC.

Patent Owner.

U.S. Patent No. 6,407,213

Inter Partes Review No. IPR2017-02031

PETITIONER'S UPDATED MANDATORY NOTICES

Petitioner hereby updates its Mandatory Notices pursuant to 37 C.F.R. § 42.8(a)(3) to add related matters.

(a) **Real Parties-In-Interest (37 C.F.R. § 42.8(b)(1)) (No Change)**

The real parties-in-interest for Petitioner are: Boehringer Ingelheim GmbH, Boehringer Ingelheim Corporate Center GmbH; Boehringer Ingelheim Pharma GmbH & Co. KG; Boehringer Ingelheim International GmbH; Boehringer Ingelheim USA Corporation; and Boehringer Ingelheim Pharmaceuticals, Inc.

(b) **Related Matters (37 C.F.R. § 42.8(b)(2)) (Updated)**

Petitioner concurrently files two IPR petitions for claims of the '213 patent. Petitioner is aware of two earlier IPR proceedings for the '213 patent, both filed by third-party Mylan Pharmaceuticals Inc.: IPR2016–01693 and IPR2016–01694. These proceedings were terminated by the Board on March 10, 2017 after the parties filed a Joint Motion to Terminate. Paper No. 24, IPR2016–01693; Paper No. 23, IPR2016–01694 (March 10, 2017). Petitioner is also aware of two current IPR proceedings for the '213 patent, both filed by third-party Celltrion, Inc.: IPR2017-01373 and IPR2017-01374. Petitioner is also aware of two current IPR proceedings for the '213 patent, both filed by third-party Pfizer, Inc.: IPR2017-01488 and IPR2017-01489. Petitioner is also aware of two current IPR proceedings for the '213 patent, both filed by third-party Samsung Bioepis Co., Ltd., IPR2017-02139 and IPR2017-02140, and has moved to join these

proceedings with IPR2017-01488 and IPR2017-01489, respectively. The present IPR petitions offer different arguments from the previously-filed IPR petitions.

The '213 patent is also at issue in the following district court litigations:

- Genentech, Inc. et al. v. Amgen Inc. (D. Del.) 1:17-cv-01407-GMS, which is pending;
- Amgen, Inc. v. Genentech, Inc. et al. (C.D. Cal.) 2:17-cv-07349-GW-AGR, which is pending;
- Genentech, Inc. et al. v. Amgen Inc. (D. Del.) 1:17-cv-01471-GMS, which is pending; and
- Genentech, Inc. et al. v. Pfizer, Inc. (D. Del.) 1:17-cv-01672, which is pending.

Petitioner is not aware of any other judicial or administrative matters that would affect, or be affected by, a decision in this proceeding.

(c) **Identification of Counsel (37 C.F.R. § 42.8(b)(3)) and Service Information (37 C.F.R. § 42.8(b)(4)) (No Change)**

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Please direct all correspondence to lead counsel and back-up counsel at the information above. Petitioner consents to electronic mail service: DG-BI213@goodwinlaw.com.

Dated: December 4, 2017

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned hereby certifies that on this 4th day of December, 2017, a copy of this PETITIONER'S UPDATED MANDATORY NOTICES was served by email on the lead and back up counsel for Patent Owners at:

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