

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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FLATWING PHARMACEUTICALS, LLC,  
Petitioner

v.

ANACOR PHARMACEUTICALS, INC.,  
Patent Owner

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Case No. IPR2018-00170  
U.S. Patent No. 9,566,290

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Mailed: June 5, 2018

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**PETITIONER'S UPDATED MANDATORY NOTICES  
PURSUANT TO 37 C.F.R. § 42.8**

Pursuant to 37 C.F.R. 42.8(a)(3), Petitioner, FlatWing Pharmaceuticals, LLC, hereby updates its mandatory notices. The notices have been updated to include *Anacor Pharm., Inc. v. Iancu*, 889 F.3d 1372 (Fed. Cir. May 14, 2018) as a Related Matter. For the Board’s convenience, the updated information is underlined.

**1. Real Parties-In-Interest, § 42.8(b)(1)**

The real parties-in-interest are FlatWing Pharmaceuticals, LLC, Rajneesh Ahuja, and Wicker Pharmaceuticals, LLC (collectively “FlatWing” or “Petitioner”).

**2. Related Matters, § 42.8(b)(2)**

There are no judicial matters pending that would affect, or be affected by, a decision in the proceeding.

The decision in *Anacor Pharm., Inc. v. Iancu*, 889 F.3d 1372 (Fed. Cir. May 14, 2018) concerns U.S. Patent No. 7,582,621, to which U.S. Patent No. 9,566,290 claims priority. The Federal Circuit affirmed the Board’s decision in IPR2015-01776, which canceled claims 1-12 of the ’621 patent.

Administrative matters that would or could affect or be affected by a decision in a proceeding instituted on this petition are United States Patent Applications Ser. No. 15/355,393 and Ser. No. 15/355,813.

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This petition is one of four petitions that Petitioner filed concurrently, requesting *inter partes* review of U.S. Patents Nos. 9,549,938 B2, 9,566,289 B2, 9,566,290 B2, and 9,572,823 B2. Each of the four would or could affect, or be affected by, a decision in any of the other three proceedings. The other three proceedings with respect to the case at bar are as follows:

- Case No. IPR2018-00168, *inter partes* review of U.S. Patent No. 9,549,938, which received its Notice of Filing Date Accorded to Petition on December 12, 2017;
- Case No. IPR2018-00169, *inter partes* review of U.S. Patent No. 9,566,289, which received its Notice of Filing Date Accorded to Petition on December 12, 2017; and
- Case No. IPR2018-00171, *inter partes* review of U.S. Patent No. 9,572,823.

In addition, although not currently subject to administrative proceedings that would affect or be affected by a decision in a proceeding instituted on this petition, issued patents which assert the same claim of priority as U.S. Patent No. 9,566,290 and have substantially the same specification are:

- U.S. Patent No. 7,582,621
- U.S. Patent No. 7,767,657
- U.S. Patent No. 8,039,451

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- U.S. Patent No. 8,115,026
- U.S. Patent No. 8,440,642
- U.S. Patent No. 8,722,917
- U.S. Patent No. 8,889,656
- U.S. Patent No. 9,353,133
- U.S. Patent No. 9,549,938
- U.S. Patent No. 9,572,823
- U.S. Patent No. 9,566,289

**3. Lead and Back-Up Counsel, § 42.8(b)(3)**

The following are designated as lead counsel and back-up counsel, pursuant to 37 C.F.R. § 42.10. A Power of Attorney is being filed concurrently herewith.

Lead counsel is:

Philip D. Segrest, Jr. (Reg. No. 39,021).

Back-up counsel is:

Eric J. Rakestraw (Reg. No. 68,740).

Additional Back-up counsel is:

Edward D. Manzo (Reg. No. 28,139).

**4. Service Information, § 42.8(b)(4)**

Papers concerning this matter should be served on the following:

**(i) Electronic Mailing Address**

Petitioner consents to service by email at:

Philip.Segrest@HuschBlackwell.com  
Eric.Rakestraw@HuschBlackwell.com  
PTAB-ERakestraw@HuschBlackwell.com  
Edward.Manzo@HuschBlackwell.com

**(ii) Postal Mailing Address**

HUSCH BLACKWELL, LLP  
Attn: Philip D. Segrest, Jr.  
120 South Riverside Plaza  
Suite 2200  
Chicago, Illinois 60606

**(iii) Hand-Delivery Address**

Same as postal mailing address.

**(iv) Telephone number**

(312) 655-1500

**(v) Facsimile Number**

(312) 655-1501

Respectfully submitted,

June 5, 2018

/Philip D. Segrest Jr./

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