

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN TECHNOLOGIES, INC.

Petitioner

v.

NOVEN PHARMACEUTICALS, INC.

Patent Owner.

Case No. IPR2018-00173

U.S. Patent No. 9,724,310

**NOVEN PHARMACEUTICALS, INC.'S
FIRST UPDATED MANDATORY NOTICE
UNDER 37 C.F.R. § 42.8**

Pursuant to 37 C.F.R. § 42.8(a)(3), Petitioner Noven Pharmaceuticals (“Noven”) hereby files its first Updated Mandatory Notice:

I. Related Matters Pursuant to 37 C.F.R. § 42.8 (b)(2):

Noven hereby updates the initial Mandatory Notices filed December 21, 2017, to identify the following judicial or administrative matters that may affect, or be affected by, a decision in the instant proceeding:

U.S. Patent No. 9,724,310 (“the ’310 patent”), which is the subject of the present IPR petition, and U.S. Patent No. 9,730,900 (“the ’900 patent”), which is the subject of petition IPR2018-00174, are now being asserted in the following patent infringement lawsuits currently pending in the United States District Court for the District of Delaware: (1) *Noven Pharmaceuticals, Inc. v. Amneal Pharmaceuticals LLC*, C.A. No. 1-18-cv-00699-LPS (D. Del.); and (2) *Noven Pharmaceuticals, Inc. v. Actavis Laboratories UT, Inc.*, C.A. No. 1-18-cv-00758-LPS (D. Del.).

U.S. Patent No. 8,231,906 (“the ’906 patent”), which both the ’310 patent and the ’900 patent claim priority to, is also being asserted in *Noven Pharmaceuticals, Inc. v. Amneal Pharmaceuticals LLC*, C.A. No. 1-18-cv-00699-LPS (D. Del.).

U.S. Patent No. 9,833,419 (“the ’419 patent”), which claims priority to the

'310 patent, the '900 patent, and the '906 patent, is now the subject of a petition for *Inter Partes* Review, IPR2018-01119, filed on May 18, 2018. The '419 patent is being asserted in the following patent infringement lawsuits currently pending in the United States District Court for the District of Delaware: (1) *Noven Pharmaceuticals, Inc. v. Alvogen Pine Brook LLC et al.*, C.A. No. 1-17-cv-01429-LPS (D. Del.); (2) *Noven Pharmaceuticals, Inc. v. Mylan Technologies Inc. et al.*, C.A. No. 1-17-cv-01777-LPS (D. Del.); (3) *Noven Pharmaceuticals, Inc. v. Amneal Pharmaceuticals LLC*, C.A. No. 1-18-cv-00699-LPS (D. Del.); and (4) *Noven Pharmaceuticals, Inc. v. Actavis Laboratories UT, Inc.*, C.A. No. 1-18-cv-00758-LPS (D. Del.).

Any questions concerning this paper may be directed to lead counsel.

Respectfully submitted,

Dated: June 7, 2018

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **Noven Pharmaceuticals, Inc.'s Updated Mandatory Notices Under 37 C.F.R. § 42.8** was served on June 7, 2018, by email directed to the attorneys of record for the Petitioner at the following addresses:

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