

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC.,
Petitioner,

v.

BAYER INTELLECTUAL PROPERTY GMBH,
Patent Owner.

Case No. IPR2018-01143
Patent No. 9,539,218

**PATENT OWNER'S MANDATORY NOTICES
UNDER 37 C.F.R. § 42.8(a)(2)**

Patent Owner Bayer Intellectual Property GmbH hereby submits the following mandatory notices pursuant to 37 C.F.R. § 42.8(a)(2).

A. Real Parties-In-Interest (37 C.F.R. § 42.8(b)(1))

Pursuant to 37 C.F.R. § 42.8(b)(1), Patent Owner identifies Bayer Intellectual Property GmbH (the Patent Owner), Bayer AG (an exclusive licensee), and Janssen Pharmaceuticals, Inc. (an exclusive sublicensee).

In addition, out of an abundance of caution, the Patent Owner notes that counsel for Bayer Corporation has been involved in this proceeding, and further notes that Bayer Intellectual Property GmbH and Bayer Corporation are wholly-

owned subsidiaries of Bayer AG, and that Janssen Pharmaceuticals, Inc. is a wholly-owned subsidiary of Johnson & Johnson.

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

The Patent Owner identifies the following matters that may affect, or may be affected by, a decision in this proceeding:

- *Bayer Intellectual Property GmbH, et al. v. Taro Pharmaceutical Industries Ltd., et al.*, No. 1:17-cv-462-RGA (D. Del), a proceeding in which Patent Owner has asserted U.S. Patent No. 9,539,218 (“the ’218 patent”) against Petitioner and other defendants. The case Patent Owner originally asserted against Petitioner regarding the ’218 patent, *Bayer Intellectual Property GmbH, et al. v. Mylan Pharmaceuticals Inc.*, No. 1:17-cv-584-RGA (D. Del.), was consolidated into the above-referenced action, along with eight other cases in which Patent Owner has asserted the ’218 patent: (1) *Bayer Intellectual Property GmbH, et al. v. Aurobindo Pharma Limited, et al.*, No. 1:17-cv-483-RGA (D. Del.); (2) *Bayer Intellectual Property GmbH, et al. v. Micro Labs Ltd., et al.*, No. 1:17-cv-560-RGA (D. Del.); (3) *Bayer Intellectual Property GmbH, et al. v. Sigmapharm Laboratories, LLC*, No. 1:17-cv-648-RGA (D. Del.); (4) *Bayer Intellectual Property GmbH, et al. v. Alembic Pharmaceuticals Limited, et al.*, No. 1:17-cv-675-RGA (D. Del.); (5) *Bayer Intellectual Property GmbH, et al. v. InvaGen Pharmaceuticals, Inc.*, No. 1:17-cv-812-RGA (D. Del.); (6) *Bayer Intellectual Property GmbH, et al. v. Lupin Limited, et al.*, No. 1:17-cv-1047-RGA (D. Del.); (7) *Bayer Intellectual Property GmbH, et al. v. Breckenridge Pharmaceutical, Inc.*, No. 1:17-cv-1129-RGA

(D. Del.); and (8) *Bayer Intellectual Property GmbH, et al. v. Torrent Pharmaceuticals, Limited, et al.*, No. 1:17-cv-1163-RGA (D. Del.).

C. Lead and Back-Up Counsel (37 C.F.R. § 42.8(b)(3))

Patent Owner designates the following counsel:

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A power of attorney appointing these attorneys to transact all business in this proceeding are submitted together with this mandatory notice information.

D. Service Information (37 C.F.R. § 42.8(b)(4))

Counsel for Patent Owner submits the following service information:

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Dated: June 12, 2018

Respectfully submitted,

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CERTIFICATE OF SERVICE
(37 C.F.R. § 42.6(e))

The undersigned hereby certifies that the document above was served on this 12th day of June, 2018, on the Petitioner by delivering a copy via electronic mail to the following individuals at the email addresses below:

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