

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC.
Petitioner,

v.

BIOGEN MA INC.,
Patent Owner.

IPR2018-01403
U.S. Patent No. 8,399,514

PATENT OWNER'S AMENDED MANDATORY NOTICES

Pursuant to 37 C.F.R. § 42.8(a)(2), Patent Owner Biogen MA Inc. provides the following updated mandatory notices.

In particular, Patent Owner has updated Section II Related Matters to reflect the fact that civil action *Biogen International GmbH and Biogen MA Inc. v. Banner Life Sciences LLC*, C.A. No. 18-582-LPS (D. Del.) has been dismissed.

The remaining previously-identified district court actions remain pending. Nevertheless, Section II has been modified to reflect that civil action *Biogen MA Inc. v. Caribe Holdings (Cayman) Co. Ltd. DBA Puracap Caribe, et al.*, C.A. No. 18-121-LPS (D. Del.) has been consolidated with civil action *Biogen International GmbH and Biogen MA Inc. v. Amneal Pharmaceuticals LLC et al.*, C.A. No. 17-823-LPS (D. Del.) (Consolidated).

Patent Owner makes no other changes to the remaining Sections I, III, IV, and V originally provided on August 2, 2018.

I. Real Party-in-Interest - 37 C.F.R. § 42.8(b)(1)

The real party-in-interest is Biogen MA Inc., the owner of U.S. Patent No. 8,399,514 (“the ’514 patent”). A corporate name change document was recorded in the U.S. Patent and Trademark Office on April 27, 2015 (reel 035507/frame 0541) and May 4, 2015 (reel 035571/frame 0926). Those documents changed the corporate name from Biogen Idec MA Inc. to Biogen MA Inc. The original assignment to

Biogen Idec MA Inc. of U.S. patent application No. 13/372,426 that led to the '514 patent was recorded in the Office on May 3, 2012 (reel 028146/frame 0980).

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

The '514 patent is currently involved in the following federal cases:

Biogen International GmbH and Biogen MA Inc. v. Amneal Pharmaceuticals LLC et al., C.A. No. 17-823-LPS (D. Del.) (Consolidated)

Biogen International GmbH and Biogen MA Inc. v. Mylan Pharmaceuticals Inc., C.A. No. 17-116-IMK (N.D. W.Va.)

FWP IP ApS v. Biogen MA Inc., No. 2017-2109 (Fed. Cir.)

The '514 patent has also been involved in the following proceedings before the PTAB:

Coalition for Affordable Drugs V LLC v. Biogen MA Inc., IPR2015-01136 (McK)

Coalition for Affordable Drugs V LLC v. Biogen MA Inc., IPR2015-01993 (RES)

Biogen MA Inc. v. Forward Pharma A/S, Intf. No. 106,023 (RES)

The following U.S. Applications claim benefit of priority to the application that issued as the '514 patent: 13/767,014 (abandoned), 13/804,283 (abandoned), 14/718,962 (abandoned), 15/959,651 (pending), 15/983,837 (pending), and 15/988,578 (pending).

Patent Owner is not aware of any other related matters that would affect or be affected by this proceeding.

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

| Lead Counsel | Back-Up Counsel |
|--|---|
| <p>Barbara C. McCurdy Reg. No. 32,120 Finnegan, Henderson, Farabow, Garrett & Dunner, LLP 901 New York Avenue, NW Washington, DC 20001 (202) 408-4047 barbara.mccurdy@finnegan.com</p> | <p>Erin M. Sommers Reg. No. 60,974 Finnegan, Henderson, Farabow, Garrett & Dunner, LLP 901 New York Avenue, NW Washington, DC 20001 (202) 408-4292 erin.sommers@finnegan.com</p> <p>Pier D. DeRoo Reg. No. 69,340 Finnegan, Henderson, Farabow, Garrett & Dunner, LLP 901 New York Avenue, NW Washington, DC 20001 (202) 408-4418 pier.deroo@finnegan.com</p> |

IV. Power of Attorney - 37 C.F.R. § 42.10(b)

Pursuant to 37 C.F.R. § 42.10(b), Patent Owner confirms that the enclosed power of attorney for U.S. Application No. 13/372,426 (issued as the '514 patent) from Biogen MA Inc. to Finnegan, Henderson, Farabow, Garrett & Dunner, LLP (Customer Number 22,852), which includes Barbara C. McCurdy, Erin M. Sommers, and Pier D. DeRoo, was previously filed with the USPTO on April 27, 2015 in Interference No. 106,023. *See* Appx. A.

V. Service Information

Please send all correspondence to the lead counsel at the address shown above.

Under 37 C.F.R. § 42.6(e), Patent Owner consents to electronic service by e-mail to the following e-mail addresses:

barbara.mccurdy@finnegan.com;

erin.sommers@finnegan.com; and

pier.deroo@finnegan.com.

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