

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PAR PHARMACEUTICALS, INC.,
Petitioner

v.

HORIZON THERAPEUTICS, LLC,
Patent Owner

Case IPR2018-01550
Patent 9,561,197

PATENT OWNER'S INITIAL MANDATORY NOTICES

Pursuant to 37 C.F.R. § 42.8(a), the Patent Owner submits the following initial mandatory notices.

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

U.S. Patent No. 9,561,197 is owned by Horizon Therapeutics, LLC (f/k/a Hyperion Therapeutics, Inc.), a company organized and existing under the laws of the State of Delaware, having its principal place of business at 150 S. Saunders Road, Lake Forest, IL 60045. Pursuant to the requirements of 37 C.F.R. § 42.8(b)(1), the undersigned state that the real parties-in-interest are Horizon Therapeutics, LLC as well its corporate parents (collectively, Horizon):

- Horizon Pharma, Inc., a corporation organized and existing under the laws of the State of Delaware, having its principal place of business at 150 S. Saunders Road, Lake Forest, IL 60045, which is wholly-owned by:
- Horizon Pharma Finance S.á.r.l., an entity organized and existing under the laws of Luxembourg, having its principal place of business at 19 Rue de Bitbourg, Luxembourg, which is wholly owned by;
- Horizon Pharma Capital Limited, a corporation organized and existing under the laws of Ireland, having its principal place of business at Connaught House, 1st Floor, 1 Burlington Road, Dublin 4, Ireland, which is wholly owned by;

- Horizon Pharma Holdings Limited, a corporation organized and existing under the laws of Ireland, having its principal place of business at Connaught House, 1st Floor, 1 Burlington Road, Dublin 4, Ireland, which is wholly owned by; and
- Horizon Pharma plc, a company organized and existing under the laws of Ireland, having its principal place of business at Connaught House, 1st Floor, 1 Burlington Road, Dublin 4, Ireland.

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

The following judicial and administrative matters may affect or be affected by a decision in this proceeding:

- (a) *Horizon Therapeutics, LLC v. Par Pharmaceutical, Inc.*, Civil Action No. 1:17-cv-05901-MAH-KM (D.N.J. filed Aug. 08, 2017). The Complaint asserts infringement of U.S. Patent No. 9,561,197.
- (b) *Horizon Therapeutics, LLC v. Lupin Ltd. and Lupin Pharmaceuticals, Inc.*, Civil Action No. 1:17-cv-05900-MAH-KM (D.N.J. filed Aug. 08, 2017) (dismissed July 10, 2018, due to settlement). The Complaint asserted infringement of U.S. Patent No. 9,561,197.
- (c) *Lupin Ltd. and Lupin Pharmaceuticals Inc. v. Horizon Therapeutics, LLC*, IPR2018-00459 (terminated July 25, 2018, due to settlement).

- (d) Pending U.S. Patent Appl. No. 15/402,780, filed January 10, 2017, which claims benefit of the patent under review.
- (e) Pending U.S. Patent Appl. No. 15/687,136, filed August 25, 2017, which claims benefit of the patent under review.
- (f) Pending U.S. Patent Appl. No. 15/980,431, filed May 15, 2018, which claims benefit of the patent under review.

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

Pursuant to 37 C.F.R. §§ 42.8(b)(3) and 42.10(a), the Patent Owner provides the following designation of counsel:

LEAD COUNSEL

Robert Green (Reg. No. 27,555)
Green, Griffith & Borg-Breen, LLP
City Place, Suite 3900
676 N. Michigan Avenue
Chicago, Illinois 60611
Phone: (312) 883-8000
Fax: (312) 883-8001
rgreen@greengriffith.com

BACK-UP COUNSEL

Matthew Phillips (Reg. No. 43,403)
Laurence & Phillips IP Law LLP
7327 SW Barnes Road #521
Portland, Oregon 97225
Phone: (503) 964-1129
Fax: (703) 439-1624
mphilips@lpiplaw.com

Caryn Borg-Breen (Reg. No. 52,637)
Green, Griffith & Borg-Breen, LLP
City Place, Suite 3900
676 N. Michigan Avenue
Chicago, Illinois 60611
Phone: (312) 883-8000
Fax: (312) 883-8001
cborg-breen@greengriffith.com

Dennis Bennett (Reg. No. 34,547)
GLOBAL PATENT GROUP, LLC
1005 N. Warson Road, Suite 404
St. Louis, Missouri 63132
Phone: (314) 812-8018
Fax: (314) 685-2300
dennisbennett@globalpatentgroup.com

Pursuant to 37 C.F.R. § 42.10(b), a power of attorney for the above-listed counsel is concurrently filed.

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

Service information for the Patent Owner's counsel of record is provided above, all of whom consent to service by e-mail. If service by means other than email is made, the Patent Owner requests that the petitioner notify each counsel above by email that service is being made by another means at the time of service.

Respectfully submitted,

Date: Sept. 4, 2018

By: / M.C. Phillips /

Matthew C. Phillips
Registration No. 43,403
Backup Counsel for Patent Owner

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.