

Filed June 14, 2019

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAWAI USA, INC. AND SAWAI PHARMACEUTICAL CO., LTD.,
Petitioners,

v.

BIOGEN MA INC.,
Patent Owner.

IPR2019-00789
U.S. Patent No. 8,399,514

BIOGEN EXHIBIT LIST

Further to 37 C.F.R. § 42.63(e), Patent Owner hereby submits a current listing of its exhibits. Exhibits 2006-2008, 2010-2012, 2014-2017 are being filed today.

EXHIBIT	DESCRIPTION
Exhibit 2001	Press Release, Upsher-Smith's Parent Company Forms Strategic Alliance with Sumitomo Corporation in US Generics Market (Nov. 13, 2017) (available at https://www.upsher-smith.com/wpcontent/uploads/CO-PR-Sumitomo-Strategic-Alliance-USLFINAL.pdf)
Exhibit 2002	Press Release, Sumitomo Corporation Participates in Generic Pharmaceutical Business in the U.S. (Nov. 13, 2017) (available at https://www.sumitomocorp.com/en/jp/news/release/2017/group/20171113_2)
Exhibit 2003	Summons in a Civil Action on Defendant Sawai USA Inc., <i>Biogen Int'l GmbH & Biogen MA Inc. v. Sawai USA, Inc. & Sawai Pharmaceutical Co. Ltd.</i> , No. 1:17-cv-00875-LPS, Dkt. 5 (D. Del. July 5, 2017)
Exhibit 2004	Scheduling Order, <i>Biogen Int'l GmbH & Biogen MA Inc. v. Amneal Pharmaceuticals, et al.</i> , No. 1:17-00823-LPS, Dkt. 22 (D. Del. February 2, 2018)
Exhibit 2005	Transcript of May 14, 2019 teleconference with APJs Sheridan K. Snedden, Jennifer M. Chagnon, and Jacqueline T. Harlow, counsel for Patent Owner Biogen MA Inc. and counsel for Petitioner Sawai USA, Inc. and Sawai Pharmaceutical Co. Ltd.
Exhibit 2006	Email from Andrew Kellogg, Supervisory Paralegal, Patent Trial and Appeal Board, USPTO (June 3, 2019)
Exhibit 2007	ANDA 210285 Tentative Approval Letter (available at https://www.accessdata.fda.gov/drugsatfda_docs/applletter/2019/210285Orig1s000TA_ltr.pdf)
Exhibit 2008	CenterWatch News Online, Sawai Pharmaceutical to acquire Upsher-Smith Laboratories U.S. generics business (Apr. 20, 2017) (available at https://www.centerwatch.com/news-online/2017/04/20/sawai-pharmaceutical-acquire-upsher-smith-laboratories-u-s-generics-business/)

EXHIBIT	DESCRIPTION
Exhibit 2009	<i>RESERVED</i>
Exhibit 2010	Sawai Pharmaceutical Co., Ltd. Integrated Report 2018 (available at https://ssl4.eir-parts.net/doc/4555/ir_material_for_fiscal_ym15/53096/00.pdf)
Exhibit 2011	Sumitomo Corporation Integrated Report 2018 (available at https://www.sumitomocorp.com/-/media/Files/hq/ir/report/investors-guide/2018/integrated-2018en.pdf?la=en)
Exhibit 2012	FY2018 Business Unit IR Meeting (May 28, 2018) (available at https://www.sumitomocorp.com/-/media/Files/hq/ir/explain/business/en/20180528IRQA_SHIGEN_ENG.pdf?la=en)
Exhibit 2013	<i>RESERVED</i>
Exhibit 2014	Press Release, Upsher-Smith's Parent Company Completes Stake Transfer To Sumitomo Corporation In US Generics Market (Jan. 5, 2018) (available at https://www.prnewswire.com/news-releases/upsher-smiths-parent-company-completes-stake-transfer-to-sumitomo-corporation-in-us-generics-market-300578294.html)
Exhibit 2015	Sumitomo Corporation, Integrated Solution Provider for Pharmaceutical Industry "From upstream to downstream" (available at https://www.sumitomocorp.com/en/us/business/case/group/236)
Exhibit 2016	Complaint in a Civil Action, <i>Biogen Int'l GmbH & Biogen MA Inc. v. Sawai USA, Inc. & Sawai Pharmaceutical Co. Ltd.</i> , No. 1:17-cv-00875-LPS, Dkt. 1 (D. Del. June 30, 2017)
Exhibit 2017	Trial Transcript in a Civil Action, <i>Procter & Gamble Pharm., Inc. et al. v. Hoffmann-LaRoche, Inc. et al.</i> , No. 06-civ-34 (S.D.N.Y. May 25, 2006)

Respectfully submitted,

Dated: June 14, 2019

By: / Barbara C. McCurdy /
Barbara C. McCurdy, Reg. No. 32,120
Finnegan, Henderson, Farabow, Garrett
& Dunner, LLP
901 New York Avenue, NW
Washington, DC 20001-4413
(202) 408-4047
Counsel for Patent Owner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **Biogen Exhibit List and Exhibits 2006-2008, 2010-2012, 2014-2017** were served electronically via the PTAB electronic filing system and via email on June 14, 2019, in their entirety on the following:

Brian Sodikoff
Katten Muchin Rosenman LLP
525 West Monroe Street
Chicago, IL 60661-3693
Telephone: (312) 902-5462
E-mail: brian.sodikoff@kattenlaw.com

Christopher B. Ferenc
Katten Muchin Rosenman LLP
2900 K Street NW
North Tower - Suite 200
Washington, DC 20007
Telephone: (202) 625-3647
E-mail: Christopher.ferenc@kattenlaw.com

Petitioner has agreed to electronic service.

Dated: June 14, 2019

By: / Catherine A. Sadler / _____

Catherine A. Sadler
Case Manager

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP