

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC.,
Petitioner,

v.

MERCK SHARP & DOHME CORP.,
Patent Owner.

Case IPR2020-00040
U.S. Patent 7,326,708

PATENT OWNER'S AMENDED EXHIBIT LIST

Exhibit	Description	Short Name
EX2001	Declaration of Bruce R. Genderson in Support of <i>Pro Hac Vice</i> Admission	
EX2002	Declaration of Vicky K. Vydra	Vydra Decl.
EX2003	Declaration of Robert M. Wenslow, Ph.D.	Wenslow Decl.
EX2004	Declaration of Russell R. Ferlita	Ferlita Decl.
EX2005	Declaration of Joanne Diddle	Diddle Decl.
EX2006	Scheduling Order, <i>In re Sitagliptin Phosphate ('708 & '921) Patent Litigation</i> , No. 1:19-md-02902-RGA (D. Del. Aug. 23, 2019)	
EX2007	Order, <i>Merck Sharp & Dohme Corp. v. Mylan Pharmaceuticals, Inc.</i> , No. 1:19-cv-00101-IMK (N.D. W. Va. Aug. 2, 2019)	
EX2008	Defendants' Initial Invalidity Contentions, <i>In re Sitagliptin Phosphate ('708 & '921) Patent Litigation</i> , No. 1:19-md-02902-RGA (D. Del. Oct. 25, 2019) (Excerpt)	
EX2009	Certified Assignment Record – US 7,326,708	
EX2010	Certified Assignment Record – WO 03/004498	
EX2011	U.S. Patent No. 9,718,880 (cited in <i>Amgen Inc. v. Alexion Pharms. Inc.</i> , IPR2019-00740, Paper 15 (P.T.A.B. Aug. 20, 2019))	
EX2012	U.S. Patent No. 7,919,499 (cited in <i>Amneal Pharmaceuticals LLC v. Alkermes Pharma Ireland Limited</i> , IPR2018-00943, Paper 8 (P.T.A.B. Nov. 7, 2018))	
EX2013	U.S. Patent No. 9,182,027 (cited in <i>Fox Factory, Inc. v. SRAM, LLC</i> , IPR2016-01876, Paper 8 (P.T.A.B. Apr. 3, 2017))	
EX2014	Declaration of Anthony H. Sheh	
EX2015	U.S. District Court for the District of Delaware, Civil Docket for Case # 1:19-md-2902-RGA (as of April 13, 2020)	
EX2016	Stipulation and [Proposed] Order to Amend Scheduling Order, <i>In re Sitagliptin Phosphate ('708 & '921) Patent Litigation</i> , No. 19-2902-RGA (D. Del. Mar. 16, 2020), ECF No. 83	

Exhibit	Description	Short Name
EX2017	U.S. District Court for the Northern District of West Virginia, Civil Docket for Case # 1:19-cv-00101-IMK (as of April 13, 2020)	
EX2018	Defendant's Answer to Plaintiff's Complaint and Counterclaims, <i>Merck Sharp & Dohme Corp. v. Mylan Pharmaceuticals Inc.</i> , No. 19-cv-101-IMK (N.D. W. Va. May 31, 2019), ECF No. 32	
EX2019	Joint Quarterly Status Report, <i>Merck Sharp & Dohme Corp. v. Mylan Pharmaceuticals Inc.</i> , No. 19-cv-101-IMK (N.D. W. Va. Jan. 3, 2020), ECF No. 50	
EX2020	REDACTED VERSION, Brief in Support of Mylan Pharmaceuticals Inc. and Mylan Inc.'s Motion to Dismiss for Improper Venue and Failure to State a Claim, <i>Merck Sharp & Dohme Corp. v. Mylan Pharmaceuticals, Inc.</i> , No. 19-cv-315-RGA (D. Del. Mar. 28, 2019), ECF No. 15	
EX2021	U.S. Judicial Panel on Multidistrict Litigation, Civil Docket for Case # MDL No. 2902	
EX2022	Memorandum in Support of Motion to Transfer, <i>In re Sitagliptin Phosphate ('708 & '921) Patent Litigation</i> , MDL No. 2902 (J.P.M.L. May 15, 2019), ECF No. 1-1	
EX2023	<i>In re Sitagliptin Phosphate ('708 & '921) Patent Litigation</i> , 402 F. Supp. 3d 1366 (J.P.M.L. 2019)	
EX2024	Oral Order, <i>Plastic Omnium Advanced Innovation and Research v. Donghee America Inc.</i> , No. 16-187-LPS (D. Del. Oct. 27, 2017), ECF No. 196	

Date: April 14, 2020

Respectfully submitted,

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CERTIFICATION UNDER 37 C.F.R. § 42.24(d)

Pursuant to 37 C.F.R. 42.6(e), the undersigned hereby certifies that a true and correct copy of the foregoing was served on April 14, 2020, by delivering a copy via electronic mail on the following attorneys of record:

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