

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RIMFROST AS

Petitioner

v.

AKER BIOMARINE ANTARCTIC AS

Patent Owner

Case: IPR2020-01534

U.S. Patent No. 10,010,567 B2

PETITIONER'S FIRST UPDATED

EXHIBIT LIST

PETITIONER'S FIRST UPDATED EXHIBIT LIST

<u>EXHIBIT NO.</u>	<u>EXHIBIT DESCRIPTION</u>
1001	U.S. Patent No. 10,010,567.
1002	U.S. Provisional Patent Application No. 61/024,072, filed January 28, 2008 ('072 Provisional).
1003	U.S. Provisional Patent Application No. 60/983,446, filed October 29, 2007 ('446 Provisional).
1004	U.S. Provisional Patent Application No. 60/975,058, filed September 25, 2007 ('058 Provisional).
1005	U.S. Provisional Patent Application No. 60/920,483, filed March 28, 2007 ('483 Provisional).
1006	Declaration of Dr. Stephen Tallon IPR2020-01534.
1007	Bottino, N.R., " <i>The Fatty Acids of Antarctic Phytoplankton and Euphausiids. Fatty Acid Exchange among Trophic Levels of the Ross Sea,</i> " 1974, <i>Marine Biology</i> , 27, 197-204 (Bottino I).
1008	Budziński, E., P. Bykowski and D. Dutkiewicz, 1985, Possibilities of processing and marketing of products made from Antarctic krill. <i>FAO Fish.Tech. Pap.</i> , (268):46, (Budzinski).
1009	Catchpole and Tallon, WO 2007/123424, published November 1, 2007, "Process for Separating Lipid Materials," (Catchpole).

- 1010 Fricke et al., “Lipid, Sterol and Fatty Acid Composition of Antarctic Krill (*Euphausia superba* Dana),” *LIPIDS* 19(11):821-827 (1984) (Fricke I).
- 1011 Randolph, et al., U.S. Patent Application Publication No. US/2005/0058728 A1, “*Cytokine Modulators and Related Method of Use*” (Randolph).
- 1012 Sampalis [I] et al., “*Evaluation of the Effects of Neptune Krill Oil™ on the Management of Premenstrual Syndrome and Dysmenorrhea*” *Altern. Med. Rev.* 8(2):171-179 (2003) (Sampalis I).
- 1013 Sampalis [II] et al., WO 2003/011873, published February 13, 2003, “*Natural Marine Source Phospholipids Comprising Flavonoids, Polyunsaturated Fatty Acids and Their Applications*” (Sampalis II).
- 1014 Reserved.
- 1015 Tanaka et al., “Extraction of Phospholipids from Salmon Roe with Supercritical Carbon Dioxide and an Entrainer”, *Journal of Oleo Science* Vol. 53 (2004) No. 9, p. 17-424 (Tanaka 2004).
- 1016 Reserved.
- 1017 Folch et al., “A simple method for the isolation and purification of total lipides from animal tissues”, *J. Biol. Chem.* (1957) 226: 497-509 (Folch).
- 1018 Kochian et al., “Agricultural Approaches to Improving Phytonutrient Content in Plants: An Overview”, Vol. 57, No. 9, September 1999: S13-S18.
- 1019 Reserved.
- 1020 Bunea, et al., “Evaluation Of The Effects Of Neptune Krill Oil On The Clinical Course Of Hyperlipidemia”, *Altern Med Rev.* 2004; 9:420–428 (Bunea).

- 1021-1022 Reserved.
- 1023 Federal Register Notice of Institution of Investigation 337-TA-1019 on September 16, 2016 by the ITC (81 Fed. Reg. pages 63805-63806)
- 1024 File History to U.S. Patent No. 9,034,388 B2, Serial No, 12/057,775 ('388 File History)
1024 Part 1 - Pages 1-450
1024 Part 2 - Pages 451-900
1024 Part 3 - Pages 901-1350
1024 Part 4 - Pages 1351-1800
1024 Part 5A - Pages 1801-2025
1024 Part 5B - Pages 2026-2250
1024 Part 6 - Pages 2251-2700
1024 Part 7 - Pages 2701-3083
1024 Part 8 - Pages 3084-3223.
- 1025-1029 Reserved.
- 1030 Tehoharides, U.S. Patent Application Publication No. US/2006/0013905 A1, "Anti-Inflammatory Compositions For Treating Multiple Sclerosis" (Tehoharides).
- 1031 Reserved.
- 1032 Grantham, G.J., "The Utilization Of Krill", UNDP/FAO Southern Ocean Fisheries Survey Programme (1977) (Grantham).
- 1033 Yoshitomi, U.S. Patent Application Publication No. US/2003/0113432 A1, "Process For Making Dried Powdery and Granular Krill" (Yoshitomi).
- 1034 Reserved.
- 1035 Breivik, U.S. Patent Application Publication No. US 2010/0143571 A1, "Process for Production of Omega-3 Rich Marine Phospholipids from Krill" (Breivik I).

- 1036 Breivik, U.S. Provisional Patent Application No. 60/859,289, “Processes for production of omega-3 rich marine phospholipids from krill”, filed November 16, 2006 (Breivik ‘289 Provisional, Breivik III).
- 1037 Breivik, WO 2008/060163 A1, “Process for Production of Omega-3 Rich Marine Phospholipids from Krill,” International filing date November 15, 2007 (Breivik II).
- 1038 Bottino, N.R., “Lipid Composition of Two Species of Antarctic Krill: *Euphausia Superba* and *E. Crystallorophias*”, Comp. Biochem. Physiol., 1975, Vol. 50B, pp. 479 to 484 (Bottino II).
- 1039 Grynbaum, M., *et al.* “Unambiguous detection of astaxanthin and astaxanthin fatty acid esters in krill (*Euphausia superba Dana*)”, J. Sep. Sci., 28, 1685–1693 (2005).
- 1040-1042 Reserved.
- 1043 Bruheim, U.S. Patent Application Publication No. US2008/0274203 A1, published November 6, 2008 (this is the publication of patent application serial no. 12/057,775 which issued as U.S. Patent No. of 9,034,388).
- 1044-1046 Reserved.
- 1047 U.S. Patent No. 9,034,388 B2, filed May 28, 2008 (‘388 Patent).
- 1048-1053 Reserved.
- 1054 Notice of Commission Determination ending Investigation 337-TA-1019, dated May 23, 2017.
- 1055 File History to U.S. Patent No. 9,375,453 B2, Serial No, 14/020,162 (‘453 File History)
- 1055 Part 1 - Pages 1-400
1055 Part 2 - Pages 401-800
1055 Part 3 - Pages 801-1109

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.