

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SLAYBACK PHARMA LLC,

Petitioner,

v.

EYE THERAPIES, LLC,

Patent Owner.

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Case IPR2022-00142  
U.S. Patent No. 8,293,742

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**PATENT OWNER'S EXHIBIT LIST**

Pursuant to 37 C.F.R. § 42.63(e), Patent Owner Eye Therapies, LLC hereby submits a current listing of Patent Owner Exhibits.

<b>EXHIBIT</b>	<b>DESCRIPTION</b>
2001	<i>Bausch &amp; Lomb, Inc., et al. v. Slayback Pharma LLC, et al.</i> , C.A. 21-16766 (D.N.J.), Joint Discovery Plan submitted Feb. 3, 2022
2002	<i>Bausch &amp; Lomb, Inc., et al. v. Slayback Pharma LLC, et al.</i> , C.A. 21-16766 (D.N.J.), Defendants' First Set of Requests for Production to Plaintiffs Nos. 1-2 served on Dec. 29, 2021
2003	<i>Bausch &amp; Lomb, Inc., et al. v. Slayback Pharma LLC, et al.</i> , C.A. 21-16766 (D.N.J.), ECF No. 15, Scheduling Order signed by the Honorable Douglas E. Arpert, U.S.M.J. on Feb. 15, 2022
2004	<i>Bausch &amp; Lomb, Inc., et al. v. Slayback Pharma LLC, et al.</i> , C.A. 21-16766 (D.N.J.), ECF No. 11, Order Setting the Initial Scheduling Conference dated Dec. 15, 2021
2005	Notice of Paragraph IV Certification Re: Slayback Pharma LLC's Brimonidine Tartrate Ophthalmic Solution, 0.025%, U.S. Patent Nos. 8,293,742 and 9,259,425 dated Aug. 13, 2021
2006	<i>Bausch &amp; Lomb, Inc., et al. v. Slayback Pharma LLC, et al.</i> , C.A. 21-16766 (D.N.J.), ECF No. 1, Complaint for Patent Infringement filed Sept. 10, 2021
2007	Louis B. Cantor, "Brimonidine in the treatment of glaucoma and ocular hypertension," <i>Therapeutics &amp; Clinical Risk Mgmt.</i> , 2(4): 337-346 (2006)
2008	U.S. Patent No. 6,982,079 B2, Compositions For Treating Hyperemia
2009	Ji Hoon Lee, et al., "Efficacy of brimonidine tartrate 0.2% ophthalmic solution in reducing halos after laser in situ keratomileusis," <i>J. of Cataract &amp; Refractive Surgery</i> , 34:963-967 (2008)

EXHIBIT	DESCRIPTION
2010	U.S. Patent No. 5,021,416, Method for Using (2-Imidazolin-2-Ylamino) Quinoxalines to Reduce or Maintain Intraocular Pressure
2011	Press Release, “New Survey From Bausch + Lomb and Glaucoma Research Foundation Reveals Emotional and Social Impact of Hyperemia on Glaucoma Patients” (Jan. 4, 2022), <a href="https://www.bausch.com/our-company/recent-news/artmid/11336/articleid/683">https://www.bausch.com/our-company/recent-news/artmid/11336/articleid/683</a>
2012	Alphagan <sup>®</sup> (brimonidine tartrate ophthalmic solution) 0.5% and 0.2%, Alphagan <sup>®</sup> P (brimonidine tartrate ophthalmic solution) 0.15%, Highlights of Prescribing Information (Dec. 20, 2001)
2013	Visine-A Label (June 14, 2002)
2014	Alphagan <sup>®</sup> P (brimonidine tartrate ophthalmic solution) 0.1% and 0.15%, Highlights of Prescribing Information (Aug. 19, 2005)
2015	Alphagan <sup>™</sup> (brimonidine tartrate ophthalmic solution) 0.2% Sterile, Approval Letter (Sept. 6, 1996)
2016	Drugs@ FDA Approved Drug Information, Alphagan 0.5%, <a href="https://www.accessdata.fda.gov/scripts/cder/daf/index.cfm?event=overview.process&amp;ApplNo=020490">https://www.accessdata.fda.gov/scripts/cder/daf/index.cfm?event=overview.process&amp;ApplNo=020490</a>
2017	Drugs@ FDA Approved Drug Information, Alphagan 0.15%, <a href="https://www.accessdata.fda.gov/scripts/cder/daf/index.cfm?event=overview.process&amp;ApplNo=021262">https://www.accessdata.fda.gov/scripts/cder/daf/index.cfm?event=overview.process&amp;ApplNo=021262</a>
2018	Press Release, “Allergan to focus on Alphagan-P, discontinue Alphagan (July 8, 2002), <a href="https://www.healio.com/news/ophthalmology/20120331/allergan-to-focus-on-alphagan-p-discontinue-alphagan">https://www.healio.com/news/ophthalmology/20120331/allergan-to-focus-on-alphagan-p-discontinue-alphagan</a>
2019	Alphagan P (brimonidine tartrate ophthalmic solution) 0.1%, Approval Letter (Aug. 19, 2005)

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Respectfully submitted,

Dated: February 22, 2022

By: /Bryan C. Diner/  
Bryan C. Diner  
Reg. No. 32,409

Lead Counsel for Patent Owner  
Eye Therapies, LLC

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing **Patent Owner's Exhibit List** and **Exhibits 2001-2019** were served electronically via email on February 22, 2022 to counsel of record for the Petitioner at the following:

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The Petitioner has consented to service by electronic mail.

Date: February 22, 2022

By: /Geneva Eaddy/  
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