

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SLAYBACK PHARMA LLC

Petitioner,

v.

EYE THERAPIES, LLC

Patent Owner.

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

PATENT OWNER'S MANDATORY NOTICES
PURSUANT TO 37 C.F.R. § 42.8

Pursuant to 37 C.F.R. § 42.8(a)(2), Patent Owner Eye Therapies, LLC (“Eye Therapies”) hereby submits the following mandatory notices in connection with this proceeding.

I. EYE THERAPIES’ POWER OF ATTORNEY

A Power of Attorney appointing lead and back-up counsel is being filed concurrently with these notices.

II. EYE THERAPIES’ MANDATORY NOTICES

(a) 37 C.F.R. § 42.8(b)(1): Real Party-in-Interest

The real party-in-interest for the Patent Owner is Eye Therapies, LLC. Other real parties-in-interest include Bausch & Lomb, Inc. and Bausch & Lomb Ireland Limited.

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

1. Judicial

The patent challenged here, U.S. Patent 8,293,742 (“the ’742 patent”), has been asserted in the following litigations:

Case Caption	Case No.	Court	Filed
<i>Bausch & Lomb, Inc.; Bausch & Lomb Ireland Limited; and Eye Therapies, LLC v. Slayback Pharma LLC and Slayback Pharma India LLP</i>	3:21-cv-16766	D.N.J.	Sept. 10, 2021
<i>Bausch & Lomb, Inc.; Bausch & Lomb Ireland Limited; and Eye Therapies, LLC v. Harrow Health, Inc.; Imprimisrx, LLC; Imprimisrx NJ, LLC; and Imprimis NJOF, LLC</i>	3:21-cv-19252	D.N.J.	Oct. 22, 2021

2. *Administrative*

Petitioner filed concurrently with this petition another petition for *inter partes* review, IPR2022-00146, of U.S. Patent No. 9,259,425.

Case Caption	IPR No.	Patent	Filed
<i>Slayback Pharma LLC v. Eye Therapies, LLC</i>	IPR2022-00146	9,259,425	Nov. 4, 2021

(c) 37 C.F.R. § 42.8(b)(3) and (4): Lead and Back-Up Counsel and Service Information

Eye Therapies designates the following counsel to transact all business in the United States Patent & Trademark Office associated with the above-captioned proceeding.

Lead Counsel	Back-Up Counsel
Bryan C. Diner (Reg. No. 32,409) bryan.diner@finnegan.com FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P. 901 New York Avenue, NW Washington, DC 20001-4413 Tel: (202) 408-4116 Fax: (202) 408-4400	Justin J. Hasford (Reg. No. 62,180) justin.hasford@finnegan.com FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P. 901 New York Avenue, NW Washington, DC 20001-4413 Tel: (202) 408-4175 Fax: (202) 408-4400 Jessica M. Lebeis (Reg. No. 73,931) jessica.lebeis@finnegan.com FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P. 2 Seaport Lane Boston, MA 02210-2001

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Please address all correspondence regarding this proceeding to lead and back-up counsel. Eye Therapies also consents to electronic service by email.

Respectfully submitted,

Dated: November 24, 2021

By: /Bryan C. Diner/
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Counsel for Patent Owner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **Patent Owner's Mandatory Notices Pursuant to 37 C.F.R. § 42.8** was served on November 24, 2021, via email directed to counsel of record for the Petitioner at the following:

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