

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MSN LABORATORIES PRIVATE LTD. AND MSN PHARMACEUTICALS  
INC.

Petitioners,

v.

BAUSCH HEALTH IRELAND LIMITED,

Patent Owner.

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Case No. IPR2023-00016

U.S. Patent No. 7,041,786

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**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 Bausch Health Ireland Limited (“Bausch Health”) hereby submits the following mandatory notices in connection with this proceeding.

**I. BAUSCH HEALTH’S POWER OF ATTORNEY**

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

**II. BAUSCH HEALTH’S MANDATORY NOTICES**

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

The real parties-in-interest for the Patent Owner are Bausch Health Ireland Limited and Salix Pharmaceuticals, Inc.

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

*1. Judicial*

The patent challenged here, U.S. Patent 7,041,786 (“the ’786 patent”), has been asserted in the following litigations:

| <b>Case Caption</b>   | <b>Case No.</b> | <b>Court</b> | <b>Filed</b>   |
|---|-----------------|--------------|----------------|
| <i>Bausch Health Ireland Limited and Salix Pharmaceuticals, Inc. v. MSN Laboratories Private and MSN Pharmaceuticals Inc.</i> | 2:21-cv-10057   | D. N.J.      | April 22, 2021 |

| <b>Case Caption</b>   | <b>Case No.</b> | <b>Court</b> | <b>Filed</b>                                  |
|---|-----------------|--------------|---|
| <i>Bausch Health Ireland Limited and Salix Pharmaceuticals, Inc. v. Mylan Laboratories Ltd., Agila Specialties Inc., Mylan API US LLC, Mylan Inc., Viatriis Inc., and Mylan Pharmaceuticals Inc. - A Viatriis Company (transferred to N.D.W.V.)</i> | 2:21-cv-10403   | D.N.J.       | April 28, 2021<br>(Transferred to N.D. W.Va.) |
| <i>Bausch Health Ireland Limited and Salix Pharmaceuticals, Inc. v. Mylan Laboratories Ltd., Agila Specialties Inc., Mylan API US LLC, Mylan Inc., Viatriis Inc., and Mylan Pharmaceuticals Inc. - A Viatriis Company</i>                           | 1:21-cv-00611   | D. Del.      | April 29, 2021                                |
| <i>Bausch Health Ireland Limited and Salix Pharmaceuticals, Inc. v. Mylan Laboratories Ltd., Agila Specialties Inc., Mylan API US LLC, Mylan Inc., Viatriis Inc., and Mylan Pharmaceuticals Inc. - A Viatriis Company</i>                           | 2:21-cv-00573   | W.D. Pa.     | April 30, 2021                                |
| <i>Bausch Health Ireland Limited and Salix Pharmaceuticals, Inc. v. Mylan Laboratories Ltd., Agila Specialties Inc., Mylan API US LLC, Mylan Inc., Viatriis Inc., and Mylan Pharmaceuticals Inc. - A Viatriis Company</i>                           | 1:22-cv-00020   | N.D.W.Va.    | March 9, 2022<br>(Transferred from D.N.J.)    |

2. Administrative

| <b>Case Caption</b>  | <b>IPR No.</b> | <b>Patent</b> | <b>Filed</b>   |
|--|----------------|---------------|----------------|
| <i>Mylan Pharmaceuticals Inc. v. Bausch Health Ireland Limited</i> | IPR2022-00722  | 7,041,786     | March 21, 2022 |

|  |               |           |                  |
|--|---------------|-----------|------------------|
| <i>Mylan Pharmaceuticals Inc. v.<br/>Bausch Health Ireland Limited</i> | IPR2022-01102 | 9,610,321 | June 10,<br>2022 |
| <i>Mylan Pharmaceuticals Inc. v.<br/>Bausch Health Ireland Limited</i> | IPR2022-01103 | 9,616,097 | June 10,<br>2022 |
| <i>Mylan Pharmaceuticals Inc. v.<br/>Bausch Health Ireland Limited</i> | IPR2022-01104 | 9,919,024 | June 10,<br>2022 |
| <i>Mylan Pharmaceuticals Inc. v.<br/>Bausch Health Ireland Limited</i> | IPR2022-01105 | 9,925,231 | June 10,<br>2022 |

### *3. Patents and Applications*

The '786 patent, filed as U.S. Patent Application No. 10/107,814, claims the benefit of the following:

- U.S. Provisional Application No. 60/348,646 filed January 17, 2002, which has expired.

The following are continuations of the application leading to the '786 patent:

- U.S. Application No. 11/347,115 filed February 2, 2006, which issued as U.S. Patent No. 7,799,897.
- U.S. Application No. 12/763,707 filed April 20, 2010, which issued as U.S. Patent No. 8,114,831.
- U.S. Application No. 13/339,785 filed December 29, 2011, which issued as U.S. Patent No. 8,637,451.
- U.S. Application No. 14/137,256 filed December 20, 2013, which is abandoned.
- U.S. Application No. 16/870,942, filed May 9, 2020, which is pending.

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

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