

UNITED STATES PATENT AND TRADEMARK OFFICE

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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HOPEWELL PHARMA VENTURES, INC.,  
Petitioner,

v.

MERCK SERONO SA,  
Patent Owner.

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Case IPR2023-00481  
U.S. Patent No. 8,377,903

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**PATENT OWNER'S  
MANDATORY NOTICES UNDER 37 C.F.R. § 42.8**

Pursuant to 37 C.F.R. § 42.8, Patent Owner respectfully submits this Mandatory Notice within 21 days of service of the Petition (Paper 2).

**I. 37 C.F.R. § 42.8(b)(1) – Real Party-in-Interest**

The Real Parties-in-Interest for the Patent Owner are Merck Serono SA, Merck KGaA, and Ares Trading SA. Merck Serono SA and Ares Trading SA are wholly owned subsidiaries of Merck KGaA.

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

U.S. Patent No. 8,377,903 (“the ’903 patent”) is a patent-in-suit in the following litigations: *Merck KGaA, Merck Serono SA, and Ares Trading SA v. Accord Healthcare, Inc.*, No. 1:22-cv-00974-GBW (D. Del.), *Merck KGaA, Merck Serono SA, and Ares Trading SA v. Hopewell Pharma Ventures, Inc.*, No. 1:22-cv-01365-GBW (D. Del.), and *Merck KGaA, Merck Serono SA, and Ares Trading SA v. Aurobindo Pharma USA, Inc. and Aurobindo Pharma Limited*, No. 1:23-cv-00039-GBW (D. Del.).

The ’903 patent is related to U.S. Patent No. 7,713,947 (“the ’947 patent”), where the ’903 patent issued from an application that was filed as a continuation of the ’947 patent. Petitioner has concurrently filed a petition for *inter partes* review of the ’947 patent, which was filed as IPR2023-00480. Additionally, the ’903 patent and the ’947 patent are subject to the following *inter partes* review petitions:

*TWi Pharmaceuticals, Inc. v. Merck Serono SA*, IPR2023-00050 and *TWi Pharmaceuticals, Inc. v. Merck Serono SA*, IPR2023-00049, respectively.

**III. Lead And Back-Up Counsel Under § 42.8(b)(3)**

Pursuant to 37 C.F.R. § 42.8(b)(3), Patent Owner designates the following Lead and Back-up Counsel. A power of attorney is concurrently submitted herewith pursuant to 37 C.F.R. § 42.10(b).

Lead Counsel	Back-up Counsel
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**IV. 37 C.F.R. § 42.8(b)(4) – Service Information**

Patent Owner consents to electronic email service at:

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Respectfully submitted,

Date: February 10, 2023

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**CERTIFICATE OF SERVICE**

I hereby certify that on February 10, 2023, a true and correct copy of the following documents:

- Patent Owner's Mandatory Notices Under 37 C.F.R. § 42.8
- Merck Serono SA Power of Attorney Under 37 C.F.R. §42.10

were served via e-mail on the following attorneys of record:

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