

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HOPEWELL PHARMA VENTURES, INC.,
Petitioner,

v.

MERCK SERONO S.A.,
Patent Owner.

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

**PETITIONER'S UPDATED MANDATORY NOTICES
PURSUANT TO 37 C.F.R. § 42.8(a)(3)**

Mail Stop "PATENT BOARD"
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Petitioner Hopewell Pharma Ventures, Inc. (“Petitioner”) hereby files these Updated Mandatory Notices Pursuant to 37 C.F.R. § 42.8(a)(3) to update Petitioner’s listing of related matters.

I. RELATED MATTERS

On February 10, 2023, Petitioner filed a Petition for *Inter Partes* Review of U.S. Patent No. 10,849,919 (“’919 patent”), proceeding no. IPR2023-00482. The ’919 patent is also directed to treating Multiple Sclerosis with cladribine, and is owned by Ares Trading S.A., which is an affiliate of the entity that owns Merck Serono, S.A., the owner of U.S. Patent No. 8,377,903 (“’903 patent”). Both the ’919 patent and the ’903 patent have been asserted against Petitioner in *Merck KGaA et al. v. Hopewell Pharma Ventures, Inc.*, Case No. 1:22-cv-01365-GBW (D. Del.), and it has been asserted in *Merck KGaA et al. v. Aurobindo Pharma USA, Inc. et al.*, Case No. 1:23-cv-00039-GBW (D. Del.), and *Merck KGaA et al. v. Accord Healthcare, Inc., et al.*, Case No. 1:22-cv-00974-GBW (D. Del.).

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

/Eldora L. Ellison/

Date: February 22, 2023
1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

Eldora L. Ellison, Ph.D.
Lead Attorney for Petitioner
Registration No. 39,967

CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e))

I certify that the above-captioned **PETITIONER'S UPDATED MANDATORY NOTICES PURSUANT TO 37 C.F.R. § 42.8(a)(3)** was served in its entirety on February 22, 2023, upon the following parties via electronic mail:

Emily R. Whelan (Lead Counsel)
Deric Geng (Back-up Counsel)
Cindy Kan (Back-up Counsel)
WILMER CUTLER PICKERING HALE AND DORR LLP
Emily.Whelan@wilmerhale.com
Deric.Geng@wilmerhale.com
Cindy.Kan@wilmerhale.com
WHMerckMavencladIPRs@wilmerhale.com

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

/Eldora L. Ellison/

Date: February 22, 2023
1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

Eldora L. Ellison, Ph.D.
Lead Attorney for Petitioner
Registration No. 39,967

19796926_1.DOCX