

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

ETON PHARMACEUTICALS, INC.,  
Petitioner,

v.

EXELA PHARMA SCIENCES, LLC,  
Patent Owner.

---

Case PGR2020-00064  
Patent 10,478,453

---

**PATENT OWNER EXELA PHARMA SCIENCES, LLC'S  
MANDATORY NOTICES**

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

Pursuant to 37 C.F.R. § 42.8, Patent Owner, Exela Pharma Sciences, LLC (“Patent Owner”), hereby submits the following Mandatory Notices in response to the Petition for *Post Grant* Review of U.S. Patent No. 10,478,453 (the ‘453 patent).

**1. Real Party-In-Interest under 37 CFR § 42.8(b)(1)**

Exela Pharma Sciences, LLC is the Patent Owner and the Real Party-In-Interest in this proceeding.

**2. Related Matters under 37 CFR § 42.8(b)(2)**

**A. The following judicial or administrative matters may affect or be affected by a decision in this proceeding:**

*Exela Pharma Sciences, LLC v. Eton Pharms., Inc.*, Case No. 1:20-cv-00365-MN (D. Del., filed March 16, 2020); *Exela Pharma Sciences LLC v. Avadel Legacy Pharms., LLC et al.*, No. 1:20-cv-00024-MN (D. Del., filed January 7, 2020); *Exela Pharma Sciences LLC v. Sandoz Inc.*, Case No. 1:20-cv-00645-MN (D. Del., filed May 14, 2020); and *Exela Pharma Sciences LLC v. Sandoz Inc.*, Case No. 1:20-cv-01393 (D. Colo., filed May 15, 2020).

**B. The following issued U.S. patents and U.S. patent applications claim priority from the '453 patent:**

U.S. Patents	
10,583,155	10,653,719

U.S. Applications	
16/746,028	16/773,641
16/850,726	16/850,962
16/850,973	

**3. Lead and Back-Up Counsel, under 37 CFR § 42.8(b)(3)**

The Patent Owner designates the following lead and back-up counsel:

LEAD COUNSEL	BACK-UP COUNSEL
Dorothy P. Whelan, Reg. No. 33,814 3200 RBC Plaza 60 South Sixth Street Minneapolis, MN 55402 Tel: (612) 337-2509 Email: <a href="mailto:PGR48751-0005PS1@fr.com">PGR48751-0005PS1@fr.com</a> Fax: (877) 769-7945	Alana Mannige, Reg. No. 71,899 3200 RBC Plaza 60 South Sixth Street Minneapolis, MN 55402 Tel: (404) 892-5005 Email: <a href="mailto:PTABInbound@fr.com">PTABInbound@fr.com</a> Fax: (877) 769-7945

**4. Service Information under 37 CFR § 42.8(b)(4)(i) et seq.**

Please address all correspondence and service to both counsel as listed above. Patent Owner consents to service by email at [PGR48751-0005PS1@fr.com](mailto:PGR48751-0005PS1@fr.com) and [PTABInbound@fr.com](mailto:PTABInbound@fr.com) (ref.: Docket No. 48751-0005PS1).

Respectfully submitted,

Date: May 26, 2020

/Dorothy P. Whelan/  
Dorothy P. Whelan  
Reg. No. 33,814

Customer Number 26191  
Fish & Richardson P.C.  
Telephone: (612) 337-2509  
Facsimile: (877) 769-7945

## CERTIFICATE OF SERVICE

Pursuant to 37 CFR § 42.6(e), the undersigned certifies that on May 26, 2020, a complete and entire copy of this Patent Owner Exela Pharma Sciences, LLC's Mandatory Notices and Power of Attorney were provided via email, to the Petitioner by serving the email correspondence addresses of record as follows:

Ralph J. Gabric  
Eugene Goryunov  
Judy K. He  
Jeff Wolfson  
Haynes and Boone LLP  
2323 Victory Ave., Suite 700  
Dallas, TX 75219

Email: [ralph.gabric.ipr@haynesboone.com](mailto:ralph.gabric.ipr@haynesboone.com)

Email: [eugene.goryunov.ipr@haynesboone.com](mailto:eugene.goryunov.ipr@haynesboone.com)

Email: [judy.he.ipr@haynesboone.com](mailto:judy.he.ipr@haynesboone.com)

Email: [jeff.wolfson.ipr@haynesboone.com](mailto:jeff.wolfson.ipr@haynesboone.com)

/Edward G. Faeth/

Edward G. Faeth  
Fish & Richardson P.C.  
60 South Sixth Street, Suite 3200  
Minneapolis, MN 55402  
(202) 626-6420