

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMNEAL PHARMACEUTICALS LLC and PAR PHARMACEUTICAL INC.
Petitioners,

v.

JAZZ PHARMACEUTICALS, INC.
Patent Owner

Case IPR2015-01903
Patent 8,731,963

**MANDATORY NOTICES BY JAZZ PHARMACEUTICALS, INC.
UNDER 35 U.S.C. §§ 311-319 AND 37 C.F.R. §§ 42.8, 42.100 ET. SEQ.**

REAL PARTY-IN-INTEREST

Pursuant to the requirements of 37 C.F.R. § 42.8(b)(1), the undersigned state that Jazz Pharmaceuticals, Inc. (“Jazz Pharmaceuticals”) is the real party-in-interest. Jazz Pharmaceuticals is a corporation organized and existing under the laws of the State of Delaware, having a principal place of business at 3180 Porter Drive, Palo Alto, California 94304. Jazz Pharmaceuticals owns by assignment the entire right, title, and interest in U.S. Patent No. 8,731,963 (the “’963 patent”) by virtue of an Assignment of rights from the inventors, Dayton Reardon, Patti Engle and Bob Gagne. The Assignment was recorded with the United States Patent and Trademark Office on December 22, 2010, at Reel 025604, Frame 0903, in connection with the application that issued as U.S. Patent No. 7,668,730, of which the application that led to the ’963 patent was a continuation.

RELATED MATTERS

Pursuant to 37 C.F.R. § 42.8(b)(2), the undersigned state that the ’963 patent is the subject of three, currently-pending litigations: *Jazz Pharmaceuticals, Inc. v. Amneal Pharmaceuticals LLC et al.*, 2:13-cv-391 (consolidated) (D.N.J.); *Jazz Pharmaceuticals, Inc. v. Wockhardt Bio AG et al.*, 2:15-cv-5619 (D.N.J.); and *Jazz Pharmaceuticals, Inc. v. Lupin Ltd. et al.*, 2:15-cv-6548 (D.N.J.). One other

litigation, *Jazz Pharmaceuticals, Inc. v. Roxane Laboratories, Inc.*, 2:10-cv-6108 (D.N.J.), concerns patents related to the '963 patent.

Additionally, Petitioners have together (and in certain instances, separately) filed for *inter partes* review of six related patents: U.S. Patent No. 8,457,988 (IPR2015-00551; IPR2015-01817); U.S. Patent No. 7,895,059 (IPR2015-00548; IPR2015-01810); U.S. Patent No. 8,589,182 (IPR2015-00545); U.S. Patent No. 7,668,730 (IPR2015-00554); U.S. Patent No. 7,765,106 (IPR2015-00546); and U.S. Patent No. 7,765,107 (IPR2015-00547).

Further, Petitioners have also previously filed for covered business method review of the above-identified related patents: U.S. Patent No. 8,589,182 (CBM2014-00153); U.S. Patent No. 8,457,988 (CBM2014-00150); U.S. Patent No. 7,668,730 (CBM2014-00151); U.S. Patent No. 7,765,106 (CBM2014-00161); U.S. Patent No. 7,765,107 (CBM2014-00175); and U.S. Patent No. 7,895,059 (CBM2014-00149). The Patent Trial and Appeal Board denied institution of covered business method review of these petitions. *See* CBM2014-00149 at Paper 12; CBM2014-00175 at Paper 14.

Wockhardt Bio AG has also filed for *inter partes* review of the above-identified related patents: U.S. Patent No. 8,457,988 (IPR2015-01814); U.S. Patent No. 7,895,059 (IPR2015-01816); U.S. Patent No. 8,589,182 (IPR2015-

01813); U.S. Patent No. 7,668,730 (IPR2015-01818); U.S. Patent No. 7,765,106 (IPR2015-01815); and U.S. Patent No. 7,765,107 (IPR2015-01820). The Coalition for Affordable Drugs III LLC also has filed a petition for *inter partes* review of related U.S. Patent No. 7,895,059 (IPR2015-01018).

Further, the following pending U.S. Patent applications claim the benefit of U.S. Patent Application No. 10/322,348, which the '963 patent also claims the benefit of: U.S. Patent Application No. 14/196,603, filed on March 4, 2014, U.S. Patent Application No. 14/219,904, filed on March 19, 2014, and U.S. Patent Application No. 14/219,941 filed on March 19, 2014.

LEAD COUNSEL AND BACK-UP COUNSEL (37 C.F.R. § 42.8(b)(3))

Lead Counsel: F. Dominic Cerrito (Reg. No. 38,100)

Contact Information: Quinn Emanuel Urquhart & Sullivan, LLP

51 Madison Avenue, 22nd Floor

New York, NY 10010

Email: nickcerrito@quinnemanuel.com

Telephone: 212-849-7000

Back-Up Counsel: John V. Biernacki (Reg. No. 40,511)

Contact Information: Jones Day

North Point

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Patent Owner Mandatory Notices

901 Lakeside Avenue

Cleveland, OH 44114

Email: jvbiernacki@jonesday.com

Telephone: 216-586-3939

Back-Up Counsel: Evangeline Shih (Reg. No. 50,170)

Contact Information: Quinn Emanuel Urquhart & Sullivan, LLP

51 Madison Avenue, 22nd Floor

New York, NY 10010

Email: evangelineshih@quinnemanuel.com

Telephone: 212-849-7000

Back-Up Counsel: Frank C. Calvosa (Reg. No. 69,064)

Contact Information: Quinn Emanuel Urquhart & Sullivan, LLP

51 Madison Avenue, 22nd Floor

New York, NY 10010

Email: frankcalvosa@quinnemanuel.com

Telephone: 212-849-7000

SERVICE INFORMATION

Pursuant to 37 C.F.R. § 42.8(b)(4), please direct all correspondence to lead and back-up counsel at the above addresses. Patent Owner consents to email service at the above-specified email addresses.

Date: October 5, 2015

Respectfully submitted,

By: /F. Dominic Cerrito (Reg. No. 38,100)/

F. Dominic Cerrito (Reg. No. 38,100)

Evangeline Shih (Reg. No. 50,170)

Frank C. Calvosa (Reg. No. 69,064)

QUINN EMANUEL URQUHART &

SULLIVAN LLP

51 Madison Avenue, 22nd Floor

New York, NY 10010

Tel: (212) 849-7000

Fax: (212) 849-7100

nickcerrito@quinnemanuel.com

evangelineshih@quinnemanuel.com

frankcalvosa@quinnemanuel.com

John V. Biernacki (Reg. No. 40,511)

JONES DAY

North Point

901 Lakeside Avenue

Cleveland, Ohio 44114

Tel: (216) 586-3939

Fax: (216) 579-0212

jvbiernacki@jonesday.com

Attorneys for Jazz Pharmaceuticals, Inc.

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CERTIFICATE OF SERVICE

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Pursuant to 37 C.F.R. § 42.6(e), the undersigned hereby certify that MANDATORY NOTICES BY JAZZ PHARMACEUTICALS, INC. and the attached POWER OF ATTORNEY and 3.73(b) STATEMENT were served on October 5, 2015 by filing these documents through the Patent Review Processing System, as well as e-mailing copies to aziz.burgy@arentfox.com and bradford.frese@arentfox.com.

Date: October 5, 2015

Respectfully submitted,

By: /F. Dominic Cerrito (Reg. No. 38,100)/

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Evangeline Shih (Reg. No. 50,170)

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QUINN EMANUEL URQUHART &

SULLIVAN LLP

51 Madison Avenue, 22nd Floor

New York, NY 10010

Tel: (212) 849-7000

Fax: (212) 849-7100

nickcerrito@quinnemanuel.com

evangelineshih@quinnemanuel.com

frankcalvosa@quinnemanuel.com

John V. Biernacki (Reg. No. 40,511)

JONES DAY

North Point

901 Lakeside Avenue

Cleveland, Ohio 44114

Tel: (216) 586-3939

Fax: (216) 579-0212

jvbiernacki@jonesday.com

Attorneys for Jazz Pharmaceuticals, Inc.