UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AZURITY PHARMACEUTICALS, INC.
Petitioner,

v.

EXELIXIS, INC.
Patent Owner.

Case IPR2025-00210
U.S. Patent No. 11,298,349

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

Pursuant to 37 C.F.R. § 42.8, Patent Owner respectfully submits the following listing of updated related matters for its Mandatory Notices.

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

Pursuant to 37 C.F.R. § 42.8(b)(2), Patent Owner provides the following updated listing of related matters:

U.S. Patent No. 11,298,349 (the "'349 patent") is a patent-in-suit in the litigations *Exelixis, Inc. v. MSN Laboratories Private Ltd. et al.*, C.A. No. 1:22-cv-00228 (D. Del.), which has been appealed to the U.S. Court of Appeals for the Federal Circuit, Appeal No. 2025-1236, 2025-1241 (Fed. Cir.), and *Exelixis, Inc. v. Sun Pharmaceutical Industries Ltd. et al.*, C.A. No. 1:24-cv-01208 (D. Del.). The '349 patent was a patent-in-suit in now-dismissed litigations *Exelixis, Inc. v. Teva Pharmaceutical Industries Limited., et al.*, C.A. No. 22-1168 (D. Del.) and *Exelixis, Inc. v. Cipla Ltd. et al.*, C.A. No. 1:23-cv-00287 (D. Del.).

The following patent applications are related to the '349 patent.

U.S. Application Ser. No. 17/170,275, which issued as the '349 patent, is a continuation of U.S. Application Ser. No. 17/152,394, now abandoned, which is a continuation of U.S. Application Ser. No. 16/706,323, now abandoned, which is a divisional of U.S. Application Ser. No. 16/151,653, now U.S. Pat. No. 10,543,206, which is a division of U.S. Application Ser. No. 15/348,716, now U.S. Pat. No.

10,123,999, which is a divisional of U.S. Application Ser. No. 13/984,559, now U.S. Pat. No. 9,717,720, which claims priority under 35 U.S.C. § 371 to Patent Cooperation Treaty Application No. PCT/US2012/024591, which claims the benefit of U.S. Provisional Application No. 61/441,520 and U.S. Provisional Application No. 61/441,527. U.S. Application Ser. No. 18/436,836, now U.S. Pat. No. 12,128,039 (the "'039 patent"), U.S. Application Ser. No. 18/899,774, which is pending, and U.S. Application Ser. Nos. 17/679,634, 18/462,739, 17/957,505, and 17/497,201, which are abandoned, are continuations of the '349 patent.

The '039 patent (identified above) is a patent-in-suit in the litigations *Exelixis, Inc. v. MSN Laboratories Private Ltd. et al.*, C.A. No. 1:25-cv-00346 (D. Del.) and *Exelixis, Inc. v. Sun Pharmaceutical Industries Ltd. et al.*, C.A. No. 1:25-cv-00423 (D. Del.).

On January 9, 2025, Petitioner Azurity Pharmaceuticals, Inc. filed a petition for *inter partes* review of the '039 patent (identified above) as proceeding no. IPR2025-00427.

Respectfully submitted,

Date: April 8, 2025

By: /Emily R. Whelan/

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CERTIFICATE OF SERVICE

I hereby certify that on April 8, 2025, I caused a true and correct copy of the following document:

- Patent Owner's Update to Mandatory Notices Under 37 C.F.R. § 42.8

to be served via e-mail, as consented to by Petitioners, upon the following:

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Respectfully submitted,

Date: April 8, 2025

By: /Cindy Kan/

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