

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMNEAL PHARMACEUTICALS, INC.,
Petitioner

v.

NIVAGEN PHARMACEUTICALS, INC.,
Patent Owner

IPR2025-00731
Patent No. 11,925,661

PATENT OWNER'S MANDATORY NOTICES

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

Pursuant to 37 C.F.R. § 42.8, the Patent Owner Nivagen Pharmaceuticals Inc. hereby submit the following Mandatory Notices in response to the Petition for *Inter Partes* Review of U.S. Patent No. 11,925,661.

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

Nivagen Pharmaceuticals, Inc. (“Nivagen”) (Patent Owner) is the real party-in-interest.

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

The '661 patent is currently the subject of pending litigation: Nivagen Pharma. Inc. v. Amneal Pharma. Inc., C.A. No. 24-846-GBW (D. Del.)(“the Litigation”).

U.S. Patent No.: 11,925,661, stems from U.S. application serial no.: 18/460,941 that was filed on 05 Sept. 2023, which is a continuation-in-part application of U.S. application serial no.: 17/449,001 (filed on 12 Oct. 2021), which claims priority to, and the benefit of the earlier filing date of U.S. provisional application serial no.: 63/090,518 (filed 12 Oct. 2020). Further, Nivagen owns U.S. Patent No.: 11,813,291, which stems from U.S. application serial no.: 17/449,001 (filed on 12 Oct. 2021), which claims priority to, and the benefit of the earlier filing date to U.S. provisional application serial no.: 63/090,518 (filed 12 Oct. 2020). The '291 patent is the subject of IPR2025-00779.

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

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

LEAD COUNSEL	BACK-UP COUNSEL
Shashank Upadhye, Reg. No. 48,209 Upadhye Tang LLP 109 Symonds Dr. #174 Hinsdale, IL 60522-0174 312-327-3326 shashank@ipfdalaw.com	Brent Batzer Reg. No. 66,130 Upadhye Tang LLP 109 Symonds Dr. #174 Hinsdale, IL 60522 312-598-2612 brent@ipfdalaw.com Yixin Tang* Upadhye Tang LLP 109 Symonds Dr. #174 Hinsdale, IL 60522 312-598-2611 yixin@ipfdalaw.com *Pro Hac Vice motion to be submitted

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

Service on Nivagen may be made by mail or hand delivery to: Shashank Upadhye, Upadhye Tang LLP, 109 Symonds Dr. #174, Hinsdale, IL 60522-0174. Nivagen also consents to and prefers electronic service by emailing: shashank@ipfdalaw.com; brent@ipfdalaw.com; yixin@ipfdalaw.com; and referencing IPR2025-00731.

Respectfully submitted,

Dated: 22 May 2025



Shashank Upadhye, 48,209
Upadhye Tang LLP

Attorney for Patent Owner

CERTIFICATE OF SERVICE

Pursuant to 37 CFR §§ 42.6(e)(4) and 42.205(b), the undersigned certifies that on 22 May 2025, a complete and entire copy of this Patent Owners' Mandatory Notices and Powers of Attorney were provided by email to the Petitioner by serving the correspondence address of record as follows:

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