

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMNEAL PHARMACEUTICALS, INC.,
Petitioner

v.

NIVAGEN PHARMACEUTICALS, INC.,
Patent Owner

IPR2025-00779
Patent No. 11,813,291

PATENT OWNER'S UPDATED MANDATORY NOTICES

**PATENT OWNER’S UPDATED 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 Updated Mandatory Notices in response to the Petition for *Inter Partes* Review of U.S. Patent No. 11,813,291.

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

The ‘291 patent stems from U.S. application 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 no.: 63/090,518 (filed 12 Oct. 2020). Further, Nivagen owns U.S. Patent No.: 11,925,661, which 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). The ‘661 patent is the subject of IPR2025-00731, and is the subject of the Litigation.

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. 66,160 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 granted (Paper #10, 20 Aug. 2025) Christopher M. Bruno⁺ Upadhye Tang LLP 109 Symonds Dr. #174 Hinsdale, IL 60522 312-598-2613 chris@ipfdalaw.com + Pro Hac Vice <i>conditionally</i> granted (Paper #11, 20 Aug. 2025)

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; chris@ipfdalaw.com; and

referencing IPR2025-00779.

Dated: 25 Aug. 2025

Respectfully submitted,



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 25 Aug. 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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