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UNITED STATES PATENT AND TRADEMARK OFFICE

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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TORRENT PHARMACEUTICALS LIMITED

and

APOTEX, INC. AND MYLAN PHARMACEUTICALS INC.,

Petitioners

v.

NOVARTIS AG AND MITSUBISHI PHARMA CORP.,

Patent Owners

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Case IPR2014-00784  
Case IPR2015-00518  
Patent 8,324,283 B2

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**PATENT OWNERS' NOTICE OF APPEAL**

Office of the General Counsel  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Notice is hereby given, pursuant to 37 C.F.R. § 90.2(a), that Patent Owners Novartis AG and Mitsubishi Pharma Corporation (collectively "Patent Owners") hereby appeal under 35 U.S.C. §§ 141, 142 and 319 to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered on September 24, 2015 (Paper 112), and from all underlying orders, decisions, rulings and opinions.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Patent Owners state that the issues for appeal include, but are not limited to, the Board's determination of unpatentability as to claims 1-32 under 35 U.S.C. § 103; the Board's denial of Patent Owners' motion to amend and related rulings concerning proposed claims 33-64; the Board's reliance on prior art as a basis for its unpatentability determination that it had previously declined to institute review upon, notwithstanding and without any notice of the Board's intent to depart from its prior order that this art was not (alone or in combination) a ground authorized for *inter partes* review; reliance on evidence that was not timely submitted with the Petition for *Inter Partes* Review; and any finding or determination relating to those issues, as well as all other issues decided adversely to Patent Owners.

Simultaneous with this submission, a copy of this Notice of Appeal is being filed with the Patent Trial and Appeal Board. In addition, three copies of this Notice of Appeal, along with the required docketing fees, are being filed with the Clerk's Office for the United States Court of Appeals for the Federal Circuit.

Respectfully submitted,

Dated: November 10, 2015

/Jane M. Love, Ph.D./  
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**CERTIFICATE OF SERVICE**

The undersigned certifies that, in addition to being filed electronically through the Patent Trial and Appeal Board's PRPS, the foregoing Notice of Appeal was filed by Express Mail (Express Mail Label No. EM582976252US on November 10, 2015, with the Director of the United States Patent and Trademark Office, at the following address:

Office of the General Counsel  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

The undersigned certifies that a copy of the foregoing Notice of Appeal, along with the required docket fee, was filed on November 10, 2015, with the Clerk's Office of the United States Court of Appeals for the Federal Circuit through the Court's CM/ECF filing system.

In addition, the undersigned certifies that a copy of the foregoing Notice of Appeal has been served on the Petitioners via their attorneys of record:

Date of Service: November 10, 2015

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