

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DR. REDDY'S LABORATORIES S.A. AND
DR. REDDY'S LABORATORIES, INC.
Petitioners,

v.

INDIVIOR UK LIMITED.
Patent Owner.

IPR2019-00329
Patent 9,687,454

PATENT OWNER'S NOTICE OF APPEAL

Pursuant to 35 U.S.C. § 142 and 37 C.F.R. § 90.2, Patent Owner Indivior UK Limited hereby provides notice that it appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision, entered June 2, 2020 (Paper 49), and from all underlying orders, decisions, rulings, and opinions regarding U.S. Patent No. 9,687,454 (“the ’454 Patent”) entered in the above captioned proceeding before the Patent Trial and Appeal Board (“Board”).

For the limited purpose of providing the Director of the United States Patent and Trademark Office with the information requested under 37 C.F.R. § 90.2(3)(ii), Patent Owner submits that the appeal will address all aspects of the Board’s decision concluding that Petitioners have established by a preponderance of the evidence, that claims 1–5, 7, and 9–14 of the ’454 Patent are unpatentable. In particular, but without limitation, this appeal will address issues including the written description support for the challenged claims, the priority date of the challenged claims, whether the Myers reference (Ex. 1010) is prior art, and whether the challenged claims are anticipated by Myers. Patent Owner further reserves the right to challenge any finding or determination supporting or relating to the issues listed above and to challenge any other issues decided against Patent Owner in any order, decision, ruling, or opinion by the Board in the above captioned proceeding.

Pursuant to 35 U.S.C. § 142 and 37 C.F.R. § 90.2(a), this Notice is being filed with the Director of the United States Patent and Trademark Office, and a copy of

this Notice is being concurrently filed with the Patent Trial and Appeal Board. In addition, a copy of this Notice is being filed with the Clerk of the United States Court of Appeals for the Federal Circuit, along with the required docketing fee of \$ 500, which are being served electronically on the Court by CM/ECF and pay.gov.

Date: July 24, 2020

Respectfully submitted,

By: / Peter P. Chen /
David A. Garr
Registration No. 74,932
Peter P. Chen
Registration No. 39,631
COVINGTON & BURLING LLP

Attorneys for Patent Owner

Certificate of Filing in Compliance with 37 C.F.R. § 90.2(a)(1)

I hereby certify that, in addition to being filed electronically through the Patent Trial and Appeal Board End to End (PTAB E2E) system, PATENT OWNER'S NOTICE OF APPEAL was filed by hand delivery on this 24th day of July 2020, with the Director of the United States Patent and Trademark Office, at the following address:

Office of the General Counsel

Director of the United States Patent and Trademark Office

10B20, Madison Building East

600 Dulany Street

Alexandria, Virginia 22314

Date: July 24, 2020

By: / Peter P. Chen /
Peter P. Chen
Registration No. 39,631

Certificate of Filing in Compliance with 37 C.F.R. § 90.2(a)(2)

I also hereby certify that a true and correct copy of the above-captioned PATENT OWNER'S NOTICE OF APPEAL and the applicable filing fee are being filed via the electronic filing system, CM/ECF, and pay.gov, with the Clerk of the United States Court of Appeals for the Federal Circuit on this 24th day of July 2020.

Date: July 24, 2020

By: / Peter P. Chen /
Peter P. Chen
Registration No. 39,631

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, I hereby certify that the foregoing Patent Owner's Notice of Appeal was served by email, by agreement of the parties, on the following counsel of record for Petitioners.

Ira J. Levy (ilevy@goodwinlaw.com)
Robert Frederickson III (rfrederickson@goodwinlaw.com)
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Date: July 24, 2020

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