

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
AMGEN INC.,)	
)	
Plaintiff,)	
)	
vs.)	
)	CIVIL ACTION No.: 05-CV-12237WGY
F. HOFFMANN-LA ROCHE LTD;)	
ROCHE DIAGNOSTICS GmbH; and)	
HOFFMANN-LA ROCHE INC.)	
)	
Defendants.)	
_____)	

**NOTICE OF FILING WITH CLERK’S OFFICE OF EXHIBITS TO THE
DECLARATION OF KRISTA M. RYCROFT IN SUPPORT OF DEFENDANTS’ OFFER
OF PROOF REGARDING THE TESTIMONY OF MICHAEL SOFOCLEOUS**

Pursuant to CMF/ECF Administrative Procedures Rule M(6) notice is hereby given that the exhibits listed below have been conventionally filed with the Court and are available in paper form only. The original documents are maintained in the case file in the Clerk’s Office.

- Exhibit 1 *Curriculum Vitae* of Michael Sofocleous (Trial Ex. PIP).
- Exhibit 2 Manual of Patent Examining Procedure (“MPEP”) (5th ed. Rev. 13, Nov. 1989) (Trial Ex. PKB).
- Exhibit 3 MPEP (8th ed. Rev. 5, Aug. 2006) (Trial Ex. PKD).
- Exhibit 4 January 3, 1994 IDS submitted in the file history of Amgen’s ‘868 patent (Trial Ex. 2012.951-977).
- Exhibit 5 MPEP § 609 (8th ed. Aug. 2001) (Trial Ex. PKC at 600-116-136).
- Exhibit 6 “Guidelines for Reexamination of Cases in view of In Re Portola Packaging,” 1223 OG 124 (June 1999) (Trial Ex. PZG).
- Exhibit 7 MPEP § 609 (5th ed. Rev. 14, Nov. 1992) (Trial Ex. PLX).
- Exhibit 8 GAO/RCED-89-120BR, *Biotechnology: Backlog of Patent Applications* (April 1989) (Trial Ex. POZ).

- Exhibit 9 Petition to Make Special in the file history for Amgen's '868 Patent (Trial Ex. 2012.179-180).
- Exhibit 10 Declaration Accompanying a Petition to Make Special in the file history for the '868 patent (Trial Ex. 2012.126-132).
- Exhibit 11 Written decision on a Petition to Make Special in the file history of the '868 patent (Trial Ex. 2012.169).
- Exhibit 12 Protest of Inventorship in the file history for the '868 patent (Trial Ex. 2012.796-801).
- Exhibit 13 Office action in the file history for the '868 patent (Trial Ex. 2012.907-918).
- Exhibit 14 Examiner Interview Summary Record in the file history of the '868 patent (Trial Ex. 2012.449).
- Exhibit 15 Decision on Motions from Interference No. 102,096 (Trial Ex. BYJ).
- Exhibit 16 Declaration for Patent Application in the file history of the '868 patent (Trial Ex. 2012.112).

Dated: September 14, 2007
Boston, Massachusetts

Respectfully submitted,

F. HOFFMANN-LA ROCHE LTD,
ROCHE DIAGNOSTICS GMBH, and
HOFFMANN-LA ROCHE INC.

By their Attorneys

/s/ Keith E. Toms

Leora Ben-Ami (*pro hac vice*)
Mark S. Popofsky (*pro hac vice*)
Patricia A. Carson (*pro hac vice*)
Thomas F. Fleming (*pro hac vice*)
Howard S. Suh (*pro hac vice*)
Peter Fratangelo (BBO# 639775)
Vladimir Drozdoff (*pro hac vice*)
David L. Cousineau (*pro hac vice*)
KAYE SCHOLER LLP
425 Park Avenue
New York, New York 10022
Tel. (212) 836-8000

Lee Carl Bromberg (BBO# 058480)
Robert L. Kann (BBO# 258025)
Julia Huston (BBO# 562160)
Keith E. Toms (BBO# 663369)
Nicole A. Rizzo (BBO# 663853)
Kregg T. Brooks (BBO# 667348)
BROMBERG & SUNSTEIN LLP
125 Summer Street
Boston, MA 02110
Tel. (617) 443-9292
ktoms@bromsun.com

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF). Pursuant to agreement of counsel dated September 9, 2007, paper copies will not be sent to those indicated as non registered participants.

/s/ Keith E. Toms

Keith E. Toms

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