

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AMGEN INC.,)
))
Plaintiff,)
))
v.)
))
F. HOFFMANN-LA ROCHE, LTD)
ROCHE DIAGNOSTICS GmbH)
and HOFFMANN-LA ROCHE INC.)
))
Defendants.)

CIVIL ACTION No.: 05-CV-12237WGY

DEFENDANTS’ MOTION TO SUBMIT DEMONSTRATIVES FROM THE OCTOBER 4, 2007 HEARING ON OBVIOUSNESS-TYPE DOUBLE PATENTING

Defendants F. Hoffmann-La Roche Ltd, Roche Diagnostics GmbH and Hoffmann-La Roche Inc. (collectively “Roche”) respectfully submit the following demonstrative exhibits, attached hereto, which were prepared by Roche for the October 4, 2007 hearing on obviousness-type double patenting. A copy has been provided to Plaintiff Amgen Inc.

DATED: October 8, 2007
Boston, MA

Respectfully submitted,

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

By its attorneys,

/s/ Howard S. Suh
Leora Ben-Ami (*pro hac vice*)
Patricia A. Carson (*pro hac vice*)
Thomas F. Fleming (*pro hac vice*)
Howard S. Suh (*pro hac vice*)
Christopher Jagoe (*pro hac vice*)
Peter Fratangelo (BBO# 639775)
KAYE SCHOLER LLP
425 Park Avenue
New York, New York 10022
Tel. (212) 836-8000

and

Lee Carl Bromberg (BBO# 058480)
Julia Huston (BBO# 562160)
Nicole A. Rizzo (BBO# 663853)
BROMBERG & SUNSTEIN LLP
125 Summer Street
Boston, MA 02110
Tel. (617) 443-9292

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/ Thomas F. Fleming
Thomas F. Fleming