

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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

**NOTICE OF SERVICE OF CONFIDENTIAL DOCUMENT
TO BE FILED IN SUPPORT OF ROCHE’S REPLY TO AMGEN’S OPPOSITION TO
ROCHE’S MOTION FOR SUMMARY JUDGMENT THAT CLAIM 7 OF THE ’349
PATENT IS INVALID UNDER 35 U.S.C. § 112 AND NOT INFRINGED**

Defendants F. Hoffmann-La Roche Ltd, Roche Diagnostics GmbH and Hoffmann-La Roche Inc. (collectively, “Roche”) hereby certify, pursuant to the Protective Order dated February 7, 2007 [docket #274], that it will serve on July 12, 2007, via hand delivery on plaintiff Amgen Inc.’s (“Amgen”) counsel, Michael Gottfried at Duane Morris LLP, and via overnight delivery, on Amgen’s counsel, Deborah Fishman at Day Casebeer Madrid & Batchelder LLP, the following document which Amgen (not Roche) has identified as confidential:

1. Confidential version of Roche’s Reply to Amgen’s Opposition to Roche’s Motion for Summary Judgment that Claim 7 of the ’349 Patent is Invalid under 35 U.S.C. § 112 and Not Infringed.

Amgen has designated this document as confidential and has not agreed to Roche’s request to file the documents in the public record. Accordingly, Roche hereby submits this document for *in camera* inspection pursuant to the Protective Order.

Pursuant to paragraph 14 of the Protective Order, Amgen has four (4) Court days to seek leave of Court pursuant to Local Rule 7.2 if it seeks to have the Court deem such documents confidential and require their filing under seal. Roche will oppose any such motion within two (2) days.

Dated: July 12, 2007
Boston, Massachusetts

Respectfully submitted,

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

By their Attorneys,

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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) and paper copies will be sent to those indicated as non registered participants on the above date.

/s/ Keith E. Toms

Keith E. Toms

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