

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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AMGEN INC., )  
 )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 F. HOFFMANN-LAROCHE )  
 LTD., a Swiss Company, ROCHE )  
 DIAGNOSTICS GmbH, a German )  
 Company and HOFFMANN LAROCHE )  
 INC., a New Jersey Corporation, )  
 )  
 Defendants. )

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C.A. NO.: 05-12237-WGY

**NOTICE OF SERVICE OF CONFIDENTIAL DOCUMENT RELATED TO AMGEN INC.’S OPPOSITION TO ROCHE’S SECOND MOTION FOR SUMMARY JUDGMENT THAT CLAIM 1 OF THE ‘422 PATENT IS INVALID FOR INDEFINITENESS AND LACK OF WRITTEN DESCRIPTION, OR ALTERNATIVELY AMGEN’S MOTION TO STRIKE**

The Plaintiff, Amgen Inc. (“Amgen”), hereby certifies, pursuant to the Protective Order dated February 7, 2007 [Docket No. 274], that it served today, via hand-delivery, upon defense counsel at Bromberg & Sunstein LLP and via overnight mail to defense counsel at Kaye Scholer LLP, the following:

**Confidential Exhibit 4 to the Declaration of Deborah E. Fishman in Support of Amgen Inc.’s Opposition to Roche’s Second Motion for Summary Judgment that Claim 1 of ‘422 is Invalid for Indefiniteness and Lack Written Description, or Alternatively, Amgen’s Motion to Strike**

These documents contain information designated as confidential by the defendants (“Roche”) and a third-party. Accordingly, pursuant to paragraph 14 of the Protective Order, Roche and the third-party each have four (4) Court days to seek leave of Court pursuant to Local Rule 7.2 if they seek to have the Court deem such documents confidential.

Dated: July 13, 2007

Respectfully Submitted,

AMGEN INC.,  
By its 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 and paper copies will be sent to those indicated as non-registered participants.

*/s/ Patricia R. Rich* \_\_\_\_\_  
Patricia R. Rich