

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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INITIATIVE FOR MEDICINES, ACCESS & KNOWLEDGE (I-MAK), INC.  
Petitioner

v.

GILEAD PHARMASSET LLC  
Patent Owner

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Case No. IPR2018-00211  
U.S. Patent No. 9,393,256

**PETITION FOR *INTER PARTES* REVIEW**

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## I. INTRODUCTION

Initiative for Medicines, Access & Knowledge (I-MAK), Inc. (“Petitioner”) requests *inter partes* review (“IPR”) of claims 1-4 of United States Patent No. 9,393,256 to Ray et al. (“the ‘256 patent”; EX1001) under the provisions of 35 U.S.C. § 311, § 6 of the Leahy-Smith America Invents Act (“AIA”), and 37 C.F.R. § 42.100 et seq. The ‘256 patent issued on July 19, 2016, and is currently assigned to Gilead Pharmasset LLC (“Patent Owner”). This petition demonstrates that claims 1-4 are unpatentable.

The ‘256 patent claims methods that were anticipated by and obvious in light of the prior art. Specifically, the ‘256 claims methods of treating hepatitis C virus (“HCV”) infection with a combination of two compounds, but both compounds were known as a result of being previously published and combining the two compounds was also known as a preferred method for treating HCV.

Thus, claims 1-4 of the ‘256 patent are unpatentable and should be cancelled.

## II. MANDATORY NOTICES

### A. Real Parties-in-Interest (37 C.F.R. § 42.8(b)(1))

The real parties-in-interest for this petition are Initiative for Medicines, Access & Knowledge (I-MAK), Inc., and the Laura and John Arnold Foundation.

**B. Related Matters (37 C.F.R. § 42.8(b)(2))**

U.S. Patent Application No. 15/400,088 is pending and claims priority to the application that issued as the '256 patent. Petitioner is not aware of any other matter that would affect, or be affected by, a decision in this proceeding.

**C. Lead and Back-Up Counsel (37 C.F.R. § 42.8(b)(3))**

Petitioner designates Daniel B. Ravicher (Reg. No. 47,015) as lead counsel. Petitioner is a not-for-profit public charity of limited resources and has been unable to retain back-up counsel. Petitioner respectfully requests that the Board exercise its authority under 37 C.F.R. § 42.5(b) to waive or suspend the requirement under 37 C.F.R. § 42.10 that Petitioner designate at least one back-up counsel.

**D. Service Information (37 C.F.R. § 42.8(b)(4))**

Papers concerning this matter should be served on the following:

Address: Daniel B. Ravicher  
Ravicher Law Firm PLLC  
2000 Ponce De Leon Blvd Ste 600  
Coral Gables, FL 33134  
Email: dan@ravicher.com  
Telephone: 786-505-1205

Petitioner consents to service by email to dan@ravicher.com.

**III. REQUIREMENTS FOR REVIEW**

**A. Grounds for Standing**

Petitioner certifies that the '256 patent is available for *inter partes* review and that Petitioner is not barred or estopped from requesting the *inter partes* review

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