

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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AMNEAL PHARMACEUTICALS LLC and PAR PHARMACEUTICAL, INC.

Petitioners,

v.

JAZZ PHARMACEUTICALS, INC.

Patent Owner

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Case IPR2015-00547

Patent 7,765,107

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**MOTION TO SEAL AND FOR ENTRY OF PROTECTIVE ORDER**

Pursuant to 37 C.F.R. § 42.14, Patent Owner Jazz Pharmaceuticals, Inc, respectfully requests that the Patent Trial and Appeal Board (the “Board”) seal the unredacted version of Exhibit 2033, Exhibit 2037 in its entirety, and the unredacted version of Patent Owner Reply to Petitioners’ Failure to Name All Real Parties In Interest (“Patent Owner Reply”), which discusses Exhibit 2037. Pursuant to Appendix B to the Trial Practice Guide, Patent Owner is concurrently filing non-confidential versions of Exhibit 2033 and the Patent Owner Reply, with the confidential material redacted.

Page 7, lines 15-16 of Exhibit 2033 contain Par Inc.’s declarant, Barry Gilman’s, home address. That address is being redacted pursuant to Mr. Gilman’s request during his June 4, 2015 deposition. Exhibit 2037, and the portion of the Patent Owner Reply discussing that exhibit, contain the parties’ business confidential information.<sup>1</sup> Good cause therefore exists for sealing these documents. Attached hereto is the Board’s Default Protective Order contained in Appendix B to the Trial Practice Guide.

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<sup>1</sup> Jazz does not object to Amneal Pharmaceuticals LLC accessing Ex. 2037 and the unredacted Patent Owner Reply. Since these documents contain Par’s business confidential information, however, Jazz is filing them with access to “Filing Party and Board Only.”

For the foregoing reasons, Patent Owner respectfully requests that the Board enter an Order sealing the unredacted version of Exhibit 2033, Exhibit 2037 in its entirety, and the unredacted version of the Patent Owner Reply, which discusses Exhibit 2037, and requiring the parties to abide by the attached Protective Order.

Date: June 9, 2015

Respectfully submitted,

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**PROTECTIVE ORDER**

This standing protective order governs the treatment and filing of confidential information, including documents and testimony.

1. Confidential information shall be clearly marked “PROTECTIVE ORDER MATERIAL.”

2. Access to confidential information is limited to the following individuals who have executed the acknowledgment appended to this order:

(A) Parties. Persons who are owners of a patent involved in the proceeding and other persons who are named parties to the proceeding.

(B) Party Representatives. Representatives of record for a party in the proceeding.

(C) Experts. Retained experts of a party in the proceeding who further certify in the Acknowledgement that they are not a competitor to any party, or a consultant for, or employed by, such a competitor with respect to the subject matter of the proceeding.

(D) In-house counsel. In-house counsel of a party.

(E) Other Employees of a Party. Employees, consultants or other persons performing work for a party, other than in-house counsel and in-house counsel’s support staff, who sign the Acknowledgement shall be extended access to confidential information only upon agreement of the parties or by order of the Board upon a motion brought by the party seeking to disclose confidential

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