

From: Trials <Trials@USPTO.GOV>
Sent: Tuesday, April 19, 2016 3:41 PM
To: Frank Calvosa; Trials
Cc: Nick Cerrito; Eric Stops; Evangeline Shih; Lyndsey Przybylski; jvbiernacki@jonesday.com; DVARUGHE@skgf.com; FRBall@duanemorris.com; Bradford.Frese@arentfox.com; richard.berman@arentfox.com; janine.carlan@arentfox.com; MRuedy@meiplaw.com; smaddox@meiplaw.com
Subject: RE: IPRs related to Wockhardt v. Jazz Pharmaceuticals

Counsel,

The Board authorizes the parties to file a joint motion in each case to terminate the proceeding or terminate the proceeding as to Petitioner Wockhardt Bio AG, pursuant to 37 C.F.R. § 42.72. The joint motion must: (1) include a brief explanation as to why termination is appropriate; (2) identify all defendants in any related district court litigation involving Patent No. 8,437,797; and (3) discuss the current status of each such related litigation with respect to each party to the litigation.

The joint motion to terminate must be accompanied by a true copy of the parties' settlement agreement, including any collateral agreements referred to in such agreement, as required by 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b). A redacted version of the settlement agreement will not be accepted as a true copy of the settlement agreement. Under 37 C.F.R. § 42.74(c), the parties must file the confidential settlement agreement electronically in the Patent Review Processing System (PRPS) as an exhibit in accordance with the instructions provided on the Board's website (uploading as "Parties and Board Only"). The parties are directed to FAQ G2 on the Board's website at <http://www.uspto.gov/ip/boards/bpai/prps.jsp> for instructions on how to file their settlement agreement as confidential.

Thanks,
Andrew Kellogg,
Supervisory Paralegal
Patent Trial and Appeal Board
USPTO
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From: Frank Calvosa [mailto:FrankCalvosa@quinnemanuel.com]
Sent: Monday, April 18, 2016 4:50 PM
To: Trials <Trials@USPTO.GOV>
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Subject: IPRs related to Wockhardt v. Jazz Pharmaceuticals

We write on behalf of Patent Owner, Jazz Pharmaceuticals, Inc. (“Jazz”), regarding IPR2015-00545, IPR2015-00546, IPR2015-00547, IPR2015-00548, IPR2015-00551, IPR2015-00554, IPR2015-01813, IPR2015-01814, IPR2015-01815, IPR2015-01816, IPR2015-01818, IPR2015-01820, and IPR2016-00370.

We write to respectfully request authorization to file joint motions to terminate the proceedings in IPR2015-01813, -01814, -01815, -01816, -01818, -01820, and IPR2016-00370 and joint motions to terminate the proceedings with respect to Petitioner Wockhardt Bio AG (“Wockhardt”) in IPR-2015-00545, -00546, -00547, -00554, -00548, and -00551. Jazz and Wockhardt have entered into a confidential settlement agreement. Wockhardt does not oppose this request.

Jazz and Wockhardt are available to discuss this issue with the Board tomorrow afternoon, if necessary. Counsel for Petitioners are copied on this email.

Best regards,

Frank Calvosa