

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MYLAN PHARMACEUTICALS INC. and  
AMNEAL PHARMACEUTICALS LLC,  
Petitioners,

v.

YEDA RESEARCH AND DEVELOPMENT CO. LTD.,  
Patent Owner.

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Case IPR2015-00643 (Patent 8,232,250 B2)  
Case IPR2015-00644 (Patent 8,399,413 B2)  
Case IPR2015-00830 (Patent 8,969,302 B2)<sup>1</sup>

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Before ZHENYU YANG and TINA E. HULSE, *Administrative Patent Judges*.

YANG, *Administrative Patent Judge*.

DECISION  
Petitioners' Motion to Seal  
*37 C.F.R. §§ 42.14*

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<sup>1</sup> Cases IPR2015-01976, IPR2015-01980, and IPR2015-01981 have been joined with IPR2015-00643, IPR2015-00644, and IPR2015-00830, respectively.

Case IPR2015-00643 (Patent 8,232,250 B2)

Case IPR2015-00644 (Patent 8,399,413 B2)

Case IPR2015-00830 (Patent 8,969,302 B2)

Petitioners filed a Motion to Seal portions of the Declaration of Professor Joel Hay, Exhibit 1099 (“Hay Declaration”). Paper 57, 1.<sup>2</sup> Petitioners represent that Patent Owner does not oppose the Motion. *Id.* at 2. Petitioners’ Motion is granted.

According to Petitioners, the Hay Declaration contains references to information we previously determined, on Patent Owner’s motion, good cause exists to seal. *Id.* at 1 (citing Paper 52). Petitioners represent that the Hay Declaration also contains references to the deposition of Dr. Grabowski (Ex. 2148) filed under seal by Patent Owner. *Id.* (citing Paper 54). In the concurrently issued Decision on Patent Owner’s Motion to Seal, we have determined that Patent Owner has shown good cause for sealing the confidential, proprietary data contained in Exhibit 2148. Paper 60.

Petitioners represent that “[u]pon conferring with Patent Owner, a redacted version of the Hay Declaration will be filed with only previously-sealed material redacted.” Paper 57, 2.

Upon considering the content of the Hay Declaration, we determine that good cause exists for sealing the previously-sealed material contained in the Hay Declaration.

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<sup>2</sup> For ease of reference, paper numbers and exhibits cited in this Decision refer to those filed in IPR2015-00643. Similar papers and exhibits were filed in the other proceedings.

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Accordingly, it is

ORDERED that Patent Owner's Motion to Seal is GRANTED.

FURTHER ORDERED that a public version of Exhibit 1099, with only previously-sealed material redacted, shall be filed within five business days of this Order.

Case IPR2015-00643 (Patent 8,232,250 B2)

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