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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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COALITION FOR AFFORDABLE DRUGS II LLC  
Petitioner

v.

NPS PHARMACEUTICALS, INC.  
Patent Owner

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Case No. IPR2015-01093  
Patent 7,056,886

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**PETITIONER'S MOTION TO SEAL**

Pursuant to 37 C.F.R. § 42.54, Petitioner Coalition for Affordable Drugs II LLC (“CFAD”) respectfully requests the Board to authorize the filing under seal of Exhibits 1042 and 1077 in Support of Petitioner’s Reply to Patent Owner’s Response. Patent Owner NPS Pharmaceuticals, Inc. does not object to the instant motion.

CFAD’s Exhibits 1042 and 1077 reference documents or information that is deemed “Protective Order Material” by NPS Pharmaceuticals, Inc. A copy of the Board’s Default Protective Order is attached hereto as Appendix A. The parties met and conferred, and agreed that the Protective Order in Appendix A shall govern materials submitted by the parties in connection with the instant motion, to the extent such materials are found to contain confidential material.

Respectfully submitted,

Date: April 20, 2016

/Matthew L. Fedowitz/  
Matthew L. Fedowitz, Reg. No. 61,386  
MERCHANT & GOULD P.C.  
Attorney for Petitioner CFAD

## Certification of Service

Pursuant to 37 C.F.R § 42.6, the undersigned hereby certifies that a copy of this PETITIONER'S MOTION TO SEAL has been served on April 20, 2016, by email on counsel of record for the patent owner at the following name and address:

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Respectfully submitted,

Date: April 20, 2016

/Matthew L. Fedowitz/  
Matthew L. Fedowitz, Reg. No. 61,386  
MERCHANT & GOULD P.C.  
Attorney for Petitioner CFAD

APPENDIX A

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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**PROTECTIVE ORDER**

NPS Ex. 2050  
CFAD v. NPS  
IPR2015-01093

The following protective order will be entered into the instituted Inter Partes Review, Coalition for Affordable Drugs II LLC v. NPS Pharmaceuticals, Inc., Case No. IPR2015-00990, and 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 marked “PROTECTIVE ORDER MATERIAL” 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.

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