

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COALITION FOR AFFORDABLE DRUGS VI LLC
Petitioner,

v.

CELGENE CORPORATION
Patent Owner

Case IPR2015-01096
Patent 6,315,720

MOTION TO SEAL

Pursuant to 37 C.F.R. § 42.14, Patent Owner Celgene Corporation (“Celgene”) respectfully requests that the Patent Trial and Appeal Board (the “Board”) seal the unredacted versions of the Patent Owner Response, Ex. 2059 (“Fraud Declaration”), and Ex. 2060 (“DiPiro Declaration”), which discuss confidential Exhibit 2007.¹ Pursuant to Appendix B to the Trial Practice Guide, Celgene is concurrently filing non-confidential versions of the Patent Owner Response, Fraud Declaration, and DiPiro Declaration, with the confidential material redacted.

Exhibit 2007, and the portions of the Patent Owner Response, Fraud Declaration, and DiPiro Declaration discussing Exhibit 2007, contain Celgene’s business confidential information. Specifically, Exhibit 2007 is a confidential, non-public submission to the U.S. Food and Drug Administration that is part of Celgene’s New Drug Application for Thalomid®. Exhibit 2007 has not been previously disclosed to the public and remains confidential. *See* 21 C.F.R. § 314.81. Good cause therefore exists for sealing these documents.

For the foregoing reasons, Celgene respectfully requests that the Board enter an Order sealing the unredacted versions of the Patent Owner Response, Fraud Declaration, and DiPiro Declaration.

¹ Celgene previously moved to seal Ex. 2007 on July 30, 2015. *See* Paper 10.

Date: February 12, 2016

Respectfully submitted,

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CERTIFICATE OF SERVICE

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Pursuant to 37 C.F.R. § 42.6(e), the undersigned hereby certifies that Patent Owner's MOTION TO SEAL was served on February 12, 2016 by filing this document through the Patent Review Processing System, as well as e-mailing a copy to sarah.spire@skiermontderby.com, parvathi.kota@skiermontderby.com, and paul.skiermont@skiermontderby.com.

Date: February 12, 2016

Respectfully submitted,

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