

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 IPR2015-01102
Patent 6,315,720

MOTION TO SEAL AND FOR ENTRY OF PROTECTIVE ORDER

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 Exhibit 2007 in its entirety, and the unredacted version of the Patent Owner Preliminary Response, which discusses Exhibit 2007. Pursuant to Appendix B to the Trial Practice Guide, Celgene is concurrently filing a non-confidential version of the Patent Owner Preliminary Response, with the confidential material redacted.

Exhibit 2007, and the portion of the Patent Owner Preliminary Response discussing that exhibit, contain Celgene’s business confidential information. Specifically, Exhibit 2007 is a confidential, non-public submission to the 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. Attached hereto is the Board’s Default Protective Order contained in Appendix B to the Trial Practice Guide.

For the foregoing reasons, Celgene respectfully requests that the Board enter an Order sealing Exhibit 2007 in its entirety, and the unredacted version of the Patent Owner Preliminary Response, which discusses Exhibit 2007, and requiring the parties to abide by the attached Protective Order.

Date: July 29, 2015

Respectfully submitted,

By: /F. Dominic Cerrito (Reg. No. 38,100)/

F. Dominic Cerrito (Reg. No. 38,100)

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

51 Madison Avenue, 22nd Floor

New York, NY 10010

General Tel: (212) 849-7000

Fax: (212) 849-7100

nickcerrito@quinnemanuel.com

Anthony M. Insogna (Reg. No. 35,203)

JONES DAY

12265 El Camino Real

Suite 200

San Diego, CA 92130

Tel: (858) 314-1200

Fax: (858) 314-1150

aminsogna@jonesday.com

Attorneys for Celgene Corporation

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 IPR2015-01102
Patent 6,315,720

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

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.