

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APOTEX CORP. and APOTEX, INC.,
Petitioner,

v.

ALLERGAN, INC.,
Patent Owner.

Case IPR2015-01284
Patent 8,648,048 B2

Before SHERIDAN K. SNEDDEN, TINA E. HULSE, and
CHRISTOPHER G. PAULRAJ, *Administrative Patent Judges*.

SNEDDEN, *Administrative Patent Judge*.

JUDGMENT
Termination of the Proceeding
37 C.F.R. § 42.73

The parties have requested that this proceeding be terminated pursuant to settlement of the dispute regarding U.S. Patent No. 8,648,048 B2. Paper 10. With their motion to terminate, the parties also filed a copy of a written settlement agreement (Paper 12) that they request be kept confidential and separate from the patent file (Paper 11). 35 U.S.C. § 317(b).

This case is in the preliminary proceeding¹ stage; no institution of a trial has been made. Under these circumstances, we determine that it is appropriate to enter judgment.² 37 C.F.R. § 42.72.

Accordingly, it is

ORDERED that the joint motion to terminate the proceeding is *granted*; and

FURTHER ORDERED that the joint request that the settlement agreement (Paper 12) be treated as business confidential information and kept separate from the file of the involved patents under the provisions of 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) is *granted*; and

FURTHER ORDERED that the proceeding is *terminated*.

¹ A preliminary proceeding begins with the filing of a petition for instituting a trial and ends with a written decision as to whether a trial will be instituted. 37 C.F.R. § 42.2.

² A judgment means a final written decision by the Board, or a termination of a proceeding. 37 C.F.R. § 42.2

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