

**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 VIII, LLC**

*Petitioner*

v.

**THE TRUSTEES OF THE UNIVERSITY OF PENNSYLVANIA**

*Patent Owner*

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**Case No. IPR2015-01836**

Patent No. 7,932,268

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**STIPULATED MOTION FOR ENTRY OF PROTECTIVE ORDER**

Patent Owner The Trustees of the University of Pennsylvania (“Patent Owner”) and Petitioner Coalition for Affordable Drugs VIII, LLC (“Petitioner”) request entry of the Board’s Default Protective Order as specified in *Office Trial Practice Guide*, 77 Fed. Reg. 48756, 48771 (Aug. 14, 2012). A copy of the Default Protective Order is attached hereto as Appendix A. The parties do not seek to amend the Default Protective Order and understand that only “confidential information” may be protected from disclosure upon a showing of good cause. 35 U.S.C. §§ 316(a)(1) and 316(a)(7); 37 C.F.R. §§ 42.14 and 42.54(a).

The parties respectfully request that the Board enter the proposed Protective Order in this proceeding.

Respectfully submitted,

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Dated: June 7, 2016

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Dated: June 7, 2016

*Counsel for Petitioner*

# Appendix A

## 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 information to that person. The party opposing disclosure to that person shall have the burden of proving that such person should be restricted from access to confidential information.

(F) *The Office*. Employees and representatives of the Office who have a need for access to the confidential information shall have such access without the requirement to sign an Acknowledgement. Such employees and representatives shall include the Director, members of the Board and their clerical staff, other support personnel, court reporters, and other persons acting on behalf of the Office.

(G) *Support Personnel*. Administrative assistants, clerical staff, court reporters and other support personnel of the foregoing persons who are reasonably necessary to assist those persons in the proceeding shall not be required to sign an Acknowledgement, but shall be informed of the terms and requirements of the Protective Order by the person they are supporting who receives confidential information.

3. Persons receiving confidential information shall use reasonable efforts to maintain the confidentiality of the information, including:

(A) Maintaining such information in a secure location to which persons not authorized to receive the information shall not have access;

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