

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

STEADYMED LTD.,
Petitioner,

v.

UNITED THERAPEUTICS CORPORATION,
Patent Owner.

Case IPR2016-00006
Patent 8,497,393 B2

Before LORA M. GREEN, JONI Y. CHANG, and
JACQUELINE T. HARLOW, *Administrative Patent Judges*.

HARLOW, *Administrative Patent Judge*.

ORDER
Expunging Documents Bearing an Incorrect Confidentiality Designation
37 C.F.R. § 42.7

On July 6, 2016, Patent Owner, United Therapeutics Corporation (“UTC”), timely filed its Patent Owner Response to Petition (Paper 31), and supporting Exhibits.¹ Because the Patent Owner Response to Petition and Exhibits 2020 and 2022 include what UTC contends to be confidential information, UTC filed both confidential and redacted, publicly accessible versions of these (as well as other) documents.²

As the result of an inadvertent clerical error, the publicly accessible Redacted Patent Owner Response to Petition (Paper 32), as well as the publicly accessible, redacted versions of Exhibits 2020 and 2022, each bear a title page confidentiality designation stating that the document **“CONTAINS PROTECTIVE ORDER MATERIAL.”**

To avoid confusion regarding the confidentiality of these filings, on July 7, 2016, we authorized UTC to refile the publicly accessible versions of the Redacted Patent Owner Response to Petition and redacted Exhibits 2020 and 2022 with the inaccurate confidentiality designations removed. UTC filed the corrected documents on July 7, 2016. Accordingly, to preserve the clarity of the record, we issue this order expunging the inaccurately marked publicly accessible versions of the Redacted Patent Owner Response to Petition and redacted Exhibits 2020 and 2022.

¹ Pursuant to the parties’ stipulated request, Due Date 1 was extended to July 6, 2016. Order on the Conduct of the Proceeding (Paper 24).

² UTC concurrently filed a Motion to Seal portions of these documents, as well as portions of Exhibit 2051. That motion remains pending.

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It is

ORDERED that the version of the Redacted Patent Owner Response to Petition (Paper 32) filed on July 6, 2016, the redacted version of Exhibit 2020 filed on July 6, 2016, and the redacted version of Exhibit 2022 filed on July 6, 2016 shall each be expunged; and

FURTHER ORDERED that the version of the Redacted Patent Owner Response to Petition (Paper 35) filed on July 7, 2016, the redacted version of Exhibit 2020 filed on July 7, 2016, and the redacted version of Exhibit 2022 filed on July 7, 2016 shall each remain in the record.

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