

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

STEADYMED LTD.

Petitioner

v.

UNITED THERAPEUTICS CORPORATION

Patent Owner

U.S. Patent No. 8,497,393

Issue Date: Jul. 30, 2013

Title: PROCESS TO PREPARE TREPROSTINIL, THE ACTIVE
INGREDIENT IN REMODULIN®

Case IPR2016-00006

MOTION TO SEAL

Mail Stop "PATENT BOARD"

Patent Trial and Appeal Board

U.S. Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

United Therapeutics Corporation (“Patent Owner”) hereby submits this Motion to Seal certain portions of the deposition transcripts of Dr. Ruffolo (Ex. 2058) and Dr. Williams (Ex. 2059). The exact words and numbers being redacted are shown in the attached, redacted versions of:

- (1) Dr. Ruffolo’s deposition transcript (Ex. 2058): pp. 76-79, 81, 138-142, 159-161, 180, 182-184, 186-187, 194-196, 214, 216-218, 230, 232-233, 262-263, 265-267, 269-270, 274-277, 279-281, 303, 308-310, 316-318, 323-324, 330-333, 335-337, 339-343, 345-348, 350-351, and 355-358;
and
- (2) Dr. Williams’ deposition transcript (Ex. 2059): pp. 28, 46, 48, 50, 60-62, 64-67, 76-78, 85, 90-96, 98, 100-102, 105-107, 113, 115-116, 119, 121-127, 143, 150-151, 194, 196, 203, 217-219, 251-252, 258, 281-284, 286, 291, 297, 304, and 308-309.

Patent Owner has discussed the proposed redactions with Petitioner, who has indicated that it has no objection if the sealed information follows the Board’s earlier ruling in Paper No. 27. Pursuant to 37 C.F.R. § 42.12, Patent Owner seeks to seal these limited portions of Ex. 2058 and Ex. 2059 because they discuss information that the Board has already ruled upon and determined to be confidential: “we agree with the parties that the disclosed numerical amounts and

ranges, identity of the impurities detected, and particulars of the FDA treprostinil purity standard is confidential information concerning the manufacturing process for Remodulin®, submitted and held in confidence to the FDA, and susceptible to misuse by competitors seeking commercial advantage” (Paper No. 27 at p. 5).

I. Good Cause Exists for Sealing Certain Confidential Information

Each of the proposed redactions contains information that the Board has already ruled upon and determined to be confidential in Paper No. 27, so good cause has already been found by the Board for sealing this information.

II. Certification of Non-Publication

On behalf of Patent Owner, undersigned counsel certifies that, to the best of their knowledge, the information sought to be sealed by this Motion to Seal has not been published or otherwise made public.

III. Certification of Conference with Opposing Party Pursuant to 37 C.F.R. § 42.54

Patent Owner and Petitioner have conferred about this Motion to Seal and Petitioner has no objection.

IV. Protective Order

The Board has entered a protective order in Paper No. 16, which the parties have agreed will govern handling of information designated confidential in this proceeding.

IPR2016-00006

Patent 8,497,393

V. Conclusion

For the reasons stated above, Patent Owner respectfully requests that the portions indicated herein of Ex. 2058 and Ex. 2059 remain under seal and only the

accompanying redacted versions of Ex. 2058 and Ex. 2059 be made available to the public.

Date: Sept. 22, 2016

Respectfully submitted,

/Stephen B. Maebius/
Stephen B. Maebius
Reg. No. 35,264
Counsel for Patent Owner

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.