

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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FRESENIUS KABI, USA, LLC,  
Petitioner

v.

CEPHALON, INC.,  
Patent Owner

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Case IPR2016-00098 (Patent No. 8,791,270 B2)  
Case IPR2016-00111 (Patent 8,895,756 B2)<sup>1</sup>

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**JOINT REQUEST TO FILE SETTLEMENT AGREEMENT  
AS BUSINESS CONFIDENTIAL INFORMATION PURSUANT  
TO 35 U.S.C. § 317(b) AND 37 C.F.R. § 42.74(c)**

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<sup>1</sup> The word-for-word identical paper is filed in each proceeding identified in the caption.

IPR2016-00098 (Paper No. 18)  
IPR2016-00111 (Paper No. 15)  
Joint Request to File Settlement Agreement

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), Petitioner Fresenius and Patent Owner Cephalon, Inc. (“Patent Owner”) (together, “the Parties”) jointly request to file the agreement between the parties — Ex. 2032 in IPR2016-00098 and Ex. 2018 in IPR2016-00098 — to the concurrently filed Joint Motion to Terminate Proceedings, as business confidential information, which shall be kept separate from the file of these proceedings and the involved patents.

Dated: July 26, 2016

Respectfully submitted,

WILEY REIN LLP

KAYE SCHOLER LLP

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By           /Soumitra Deka #70,252            
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**CERTIFICATION OF SERVICE**

The undersigned hereby certifies that the foregoing JOINT REQUEST TO FILE SETTLEMENT AGREEMENT AS BUSINESS CONFIDENTIAL INFORMATION PURSUANT TO 35 U.S.C. § 317(b) AND 37 C.F.R. § 42.74(c) was served electronically via e-mail on this 26th day of July, 2016, and directed to:

Counsel for Petitioner

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