

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MYLAN PHARMACEUTICALS INC., TEVA PHARMACEUTICALS USA,  
INC., and AKORN INC.,  
Petitioners,

v.

SAINT REGIS MOHAWK TRIBE, Patent Owner,  
Patent Owner.

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Case IPR2016-01127 (8,685,930 B2)  
Case IPR2016-01128 (8,629,111 B2)  
Case IPR2016-01129 (8,642,556 B2)  
Case IPR2016-01130 (8,633,162 B2)  
Case IPR2016-01131 (8,648,048 B2)  
Case IPR2016-01132 (9,248,191 B2)<sup>1</sup>

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**BRIEF OF BSA | THE SOFTWARE ALLIANCE AS *AMICUS*<sup>2</sup>  
REGARDING APPLICABILITY OF TRIBAL SOVEREIGN IMMUNITY  
IN IPR PROCEEDINGS**

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<sup>1</sup> Cases IPR2017-00576 and IPR2017-00594, IPR2017-00578 and IPR2017-00596, IPR2017-00579 and IPR2017-00598, IPR2017-00583 and IPR2017-00599, IPR2017-00585 and IPR2017-00600, and IPR2017-00586 and IPR2017-00601, have been joined with the captioned proceedings.

<sup>2</sup> See IPR2016-01127, Paper No. 96, at 3, 5 (Nov. 3, 2017) (authorizing *amicus* briefs “related to the Tribe’s motion to terminate” of no more than 15 pages by December 1, 2017 because “we are persuaded that briefing from interested *amici* is now warranted in these proceedings”).

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