

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC.,
Petitioner,

v.

ASTRAZENECA AB,
Patent Owner.

Case IPR2016-01324
Patent 7,456,160 B2

Before BRIAN P. MURPHY, ZHENYU YANG, and
ROBERT A. POLLOCK, *Administrative Patent Judges*.

POLLOCK, *Administrative Patent Judge*.

DECISION
Termination of the Proceeding
37 C.F.R. §§ 42.72, 42.74

On January 9, 2017, the parties filed a Joint Motion to Terminate this proceeding pursuant to 35 U.S.C. § 317(a). Paper 11. In addition, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), the parties filed a true and correct copy of a Settlement and License Agreement (Paper 12), along with

a Joint Request That Settlement Agreement Be Treated as Business Confidential Information, to be kept separate from the publicly available patent files (Paper 13).

This case is in the preliminary stage. No decision on whether to institute a trial has been made. Under the circumstances, it is appropriate to terminate the proceeding. Therefore, the Joint Motion to Terminate this proceeding is GRANTED.

Accordingly, it is

ORDERED that the joint motion to terminate the proceeding is GRANTED and the proceeding is hereby terminated;

FURTHER ORDERED that the parties' joint request that the settlement agreement be treated as business confidential information is GRANTED. Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), Paper 12 shall be treated as business confidential information, kept separate from the file of the involved patents, and made available only to Federal Government agencies on written request, or to any person on a showing of good cause.

Case IPR2016-01324
Patent 7,456,160 B2

PETITIONER:

Brandon M. White
Crystal R. Canterbury
PERKINS COIE LLP
BMWhite@PerkinsCoie.com
CCanterbury@PerkinsCoie.com

PATENT OWNER:

Filko Prugo
Caitlin Hogan
Marc Pensabene
John Murray
O'MELVENY & MYERS LLP
fprugo@omm.com
chogan@omm.com
mpensabene@omm.com
kmurray2@omm.com