

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MYLAN PHARMACEUTICALS INC.,
Petitioner,

v.

ASTRAZENECA AB,
Patent Owner.

Case IPR2016-01325
Patent 8,329,680 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 12. 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 13), 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 14).

On December 14, 2016, we issued a decision denying institution of *inter partes* review. Paper 11. The deadline for requesting rehearing has not yet expired. *See* 37 C.F.R. § 42.71(d)(2). 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 13 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.

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